

58th
ANNUAL REPORT
UNITED STATES
CIVIL SERVICE
COMMISSION
FISCAL YEAR ENDED JUNE 30
1941

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LETTER OF TRANSMITTAL

WASHINGTON, D. C., November 15, 1941

THE PRESIDENT OF THE UNITED STATES.

SIR: We are transmitting herewith the annual report of the United States Civil Service Commission for the fiscal year ended June 30, 1941. In the interests of utilizing our available funds to the best over-all advantage under present emergency conditions, we have curtailed this report radically in comparison with those of previous years.

Your extension of the scope of the merit system authorized by Executive Order No. 8743, April 23, 1941, under Title I of the Ram-speck Act of November 26, 1940, is one of the many forward-looking actions which will improve the effectiveness of the Government service. This action has received the unanimous approval of the friends of good government.

We are deeply gratified by your establishment and maintenance of the policy that civilian manning for national defense shall be accomplished within the framework of the merit system. This policy, supported by the Congress, has presented the Commission with both a challenge and an unprecedented opportunity, which we have accepted, to demonstrate that the Federal civil service system works effectively in a time of national stress.

Respectfully submitted.

HARRY B. MITCHELL,
LUCILLE FOSTER McMILLIN,
ARTHUR S. FLEMMING,
Commissioners.



FIFTY-EIGHTH ANNUAL REPORT UNITED STATES CIVIL SERVICE COMMISSION

1941

RECRUITING FOR NATIONAL-DEFENSE POSITIONS

THE DUTIES imposed upon the United States Civil Service Commission by the national emergency are the gravest and most difficult in its history. More than four times as many new employees have been required for the classified service in the past year as in normal years. Many of them have had to be secured for new positions, created as a result of new defense activities, in occupations for which the supply of trained workers was already small and was steadily diminishing. They have often been needed at isolated points and have usually been needed within a few hours.

These workers have been secured quickly through the combined facilities of the Commission's central office and of its district system, which includes its 13 district offices, 5,000 local boards of examiners at post offices and customhouses, and 150 rating boards at large Government industrial establishments. In order that emergencies may be dealt with at the spot where they arise, the Commission has decentralized many of its procedures and delegated much authority to its field offices or to personnel officials of the employing agencies. It has stationed liaison officers and special representatives at the central offices and the more important field establishments of national-defense agencies, with full authority to act for it or its district managers in handling many types of personnel transactions. Some of the agencies which it serves have cooperated with it by decentralizing some of their own procedures so that the Commission's field representatives and the agency's field appointing officers can take final action on field personnel transactions jointly.

The Commission's former Application, Examining, and Certification

Divisions have been consolidated into a single Examining Division, and the activities involved in the receipt of applications, rating of examinations, and certification of eligibles have been regrouped on an occupational rather than a functional basis. A new Medical Division has been established to deal with such matters as the establishment of physical standards for appointment to classified competitive positions and the physical examination of prospective employees to determine whether or not they meet these standards.

The Commission has intensified its recruiting by utilizing every channel of publicity for its examinations, including newspapers, trade journals and other publications, the radio, the motion-picture industry, colleges and trade schools, and labor, professional, and scientific organizations; through personal canvassing by its special representatives and examiners and by the secretaries of its boards of United States Civil Service examiners; by securing the aid of other Governmental organizations such as the Social Security Board, the Railroad Retirement Board, and the Post Office Department; and by sending special representatives or examiners to colleges, meetings of trade and labor organizations, and other promising sources of supply. Examinations in which particular difficulty has been experienced in securing eligibles have been placed on a consolidated list, which has been displayed in every post office throughout the Nation and has been given publicity in many other ways. In occupations for which fully skilled and experienced workers are no longer available, provision has been made for recruiting persons with related basic training and experience, or with aptitude for developing skill, and for giving them further training on the job. Age limits and physical requirements have been liberalized for positions in which immediate or prospective shortages of fully qualified persons exist. The employment of women in critical occupations has been encouraged wherever their employment is practicable.

Service to national-defense agencies has been expedited by such measures as the increased use of "open continuous" examinations, the development of new forms which have greatly reduced the burden of clerical work, the increased use of selective certification, and the streamlining of procedures involved in the physical examination of applicants, eligibles, or appointees. The Commission is endeavoring to furnish the names of eligibles, by radio if necessary, within 24 hours after receipt of the request for their certification.

The number of investigations completed by the Commission during the fiscal year 1941 was approximately five times as great as during the fiscal year 1940. Naturally, the national defense program has resulted in increased emphasis on those phases of the investigation which have to do with determining the applicant's loyalty to the Government. At the present time, the investigation of any applicant

for Federal employment is aimed only at determining the fundamental question of his loyalty to the Government and his suitability from the standpoint of character and qualifications.

During the fiscal year 1941, the Commission took job analysis and position-classification action upon 116,591 cases, as compared with 51,971 during the fiscal year 1940. Prompt service to the major defense agencies has been accomplished in personnel-classification as in other activities by the assignment of members of the Commission's staff to defense bureaus and the delegation to them, in proper cases, of the responsibility for official action. Besides performing their primary function of classifying positions after they are established, the classifiers of the Commission have in many instances aided administrative officials, at their request, in setting up organization units, in writing descriptions of individual positions which such units will contain, and in other ways which tend to expedite recruitment.

The Commission has never lost sight of its fundamental objective in the present emergency—to see that the personnel requested by national defense agencies is furnished and actually on duty by the time needed. It has permitted the retention by defense agencies of many temporary employees who have acquired training and experience in the course of their employment, even though they are not immediately within reach on the register for probational appointment. Whenever necessary, it has exercised its power, under Executive Order No. 8564 of October 8, 1940, to authorize the filling of any position connected with the national-defense program, without regard to the competitive requirements of the civil service rules, "whenever, because of a public exigency directly connected with the national-defense program, or because of the urgency for the immediate filling of a position involved in such program, the Civil Service Commission determines that it is in the public interest to do so."

However, the effectiveness of the Commission's intensive recruiting program and the speed attained through the liberalization of its policies and procedures have been such as to hold the number of appointments outside the register to a minimum. The results attained through its efforts have impressed the heads of national-defense agencies with the value of the merit system to them as administrators. Instead of asking that positions be withdrawn from competition, they have drawn heavily upon the Commission's registers to fill positions which were already excepted.

In planning its recruitment program, the Commission has had the benefit of the advice of the Council of Personnel Administration, which was established within the Commission by Executive Order No. 8467 of July 1, 1940, and is composed principally of directors of personnel of the various Federal departments and agencies. In addi-

tion to recruitment, the Council has considered such matters as the procedural steps involved in the preservation of the reemployment rights of Federal employees who are ordered or inducted into service with the armed forces; the prevention of discrimination in Federal employment against members of minority groups; the procedure in hearing employee grievances; the enforcement of the Ramspeck Act, including the provisions relating to the establishment of efficiency rating boards of review; the prevention of accidents and the conservation of the health of employees; the formulation of a uniform plan for within-grade promotions; the uniform interpretation and administration of the laws and rules governing leave; and the decentralization of authority in dealing with promotional matters. The Council has combated the tendency of departments to become compartments, and has helped to bring about unified action by the personnel officials of the various Federal agencies.

OTHER ACTIVITIES

IN ADDITION TO assisting the War Department by developing a group of nonlanguage tests for the classification of Army recruits, and to performing research for the President's Committee on Civil Service Improvement with respect to the effectiveness of tests for legal positions, the Commission has developed a new examination for assistant investigator, has improved the examinations for post office inspector, for clerk-carrier, and for operators of a number of office machines, and has conducted research with a view to determining the feasibility of using written examinations for professional positions above the P-1 level and for higher-grade positions in the Clerical, Administrative, and Fiscal Service.

Considerable progress has been made in the work of compiling and tabulating data for the quinquennial valuations of the civil service and Alaska Railroad retirement funds as of June 30, 1940. The progress of this work, which is required by statute, has been retarded because the information necessary is contained in individual retirement accounts of employees which are maintained by the various departments and agencies, and must be obtained from them by the Commission.

The Hatch Political Activities Act of August 2, 1939, as amended by an act of July 19, 1940, contains express language charging the Civil Service Commission with responsibility for its enforcement as to the State and local employees subject to its provisions. The Commission has given wide distribution during the year to a number of pamphlets and bulletins calculated to facilitate a proper understanding and observance of the restrictions of the act. Meanwhile it has received and taken cognizance of complaints, made investigations

where circumstances warranted, and taken concluding action in many cases.

There is no language in the Hatch Act, as amended, fixing responsibility for the enforcement of its restrictions on political activity by Federal employees. As to such employees, enforcement of these restrictions devolves upon the individual employing agencies. However, Civil Service Rule I, which uses prohibitive language identical with that in section 9 of the Hatch Act, is still in full force and effect as to employees in the competitive classified service. The Commission has jurisdiction to enforce the political-activity restrictions of this rule, and the Attorney General has held in an opinion dated January 8, 1941, that this jurisdiction is concurrent with the statutory responsibility of the individual employing agency as to employees in the classified competitive service. In view of the specific language of the act, the Attorney General held, in the same opinion, that in cases where both the law and the civil-service rule are violated, the statutory penalty, which is removal from the service, must be applied, and that the person thus removed may not thereafter be employed in the same position. On the other hand, where the act is violated by a State or local employee, the Commission has authority to determine whether the violation warrants removal or not.

THE RAMSPECK ACT

ONE OF THE most important statutes in the history of the Federal civil service is the Ramspeck Act of November 26, 1940 (Public, No. 880, 76th Cong.), which authorizes the President greatly to extend the scope both of the Civil Service Act and of the Classification Act. The extension of the Classification Act provided for by this statute will take place gradually over a period of years rather than all at once. The extension of the Civil Service Act will be more immediate. Under the terms of Executive Order No. 8743 of April 23, 1941, the Civil Service Act will be extended on January 1, 1942, to the great majority of the positions to which the Ramspeck Act authorizes its extension, and vacancies occurring in such positions during the period July 1, 1941, to January 1, 1942, must be filled in accordance with the Civil Service Act and rules unless express prior permission is given by the Civil Service Commission for appointment without regard to the rules.

The Commission's responsibility for uniform efficiency ratings has been enlarged by section 7 of the Ramspeck Act, which provides for boards of review, with chairmen designated by the Commission, to hear efficiency-rating appeals and make such changes in appealed efficiency ratings as are found to be necessary.

OTHER EVENTS OF THE YEAR

THE PRESIDENT'S Committee on Civil Service Improvement, in its report submitted by the President to Congress on February 24, 1941, recommended the inclusion within the classified competitive service of virtually all the positions which had been temporarily withheld from classification, pending the completion of its study, by Executive Order No. 8044 of January 31, 1939. These positions were accordingly included within the classified service, effective January 1, 1942, by Executive Order No. 8743 of April 23, 1941. The Commission's program for filling nonlegal positions was indorsed, in the main, by the Committee, although it recommended certain changes in procedure. With respect to the program for lawyers in the Federal service, alternative plans were reported by the Committee because of a division of opinion among the members. The plan adopted by the President, which is designated in the Committee report as Plan A, vests in a Board of Legal Examiners the responsibility for developing a career system for Government lawyers. In the formulation and administration of this system the Board follows the general procedures outlined in Plan A of the Committee's report.

Executive Order No. 8602 of November 25, 1940, protects selectees, members of reserve components, and retired personnel of the Regular Army who have been ordered or inducted into active military or naval service against the loss thereby of any period of eligibility for appointment attained through passing United States civil-service examinations. The President has also issued several Executive orders for the purpose of protecting such persons against the loss of opportunities to acquire a classified civil-service status as a result of the inclusion of their positions in the classified competitive service while they are in the Army or Navy.

Executive Order No. 8760 of May 27, 1941, requires persons who are employed on a permanent basis in the Federal executive civil service, or have been so employed within the 3 months preceding the date of examination, to secure the consent of their employing agency before they may be examined or certified by the Commission. The restrictions of the order, which will continue in effect until Congress or the President declares that the present emergency has ceased to exist, apply to employees of all Government agencies, not merely of those directly connected with preparedness or the national defense program.

The act of October 14, 1940 (Public, No. 846, 76th Cong.), amended the Civil Service Retirement Act, the Canal Zone Retirement Act, and the Alaska Railroad Retirement Act so as to make uniform the computation of accreditable military service for civil service retirement purposes and to adjust the inequalities existing previously. While

this was the only direct amendment during the fiscal year to any of the three retirement acts administered by the Commission, the Civil Service Retirement Act was materially affected by the Ramspeck Act of November 26, 1940, since all persons brought within the competitive classified service under the terms of the latter will automatically acquire a status under the retirement act. An act of October 14, 1940 (Public, No. 847, 76th Cong.), permits certain employees of the Secret Service Division of the Treasury Department to elect to become members of the retirement system for policemen and firemen of the District of Columbia and to have such amounts as they contributed to the civil service retirement and disability fund transferred to the policemen and firemen relief fund of the District of Columbia.

UNCLASSIFIED EMPLOYEES GRANTED CLASSIFIED STATUS, FISCAL YEAR
1941

By authority of Executive orders, civil-service rules, and legislation

	Total	Departmental	Field
BY EXECUTIVE ORDERS			
Executive Order No. 6134, May 18, 1933: Agriculture.....	38	3	35
Executive Order No. 6758, June 29, 1934: Agriculture.....	1	1	-----
Executive Order No. 7458, Sept. 26, 1936: Agriculture.....	1	1	-----
Executive Order No. 7587, Mar. 27, 1937: National Labor Relations Board.....	1	1	-----
Executive Order No. 7732, Oct. 27, 1937: Federal Works Agency.....	4	3	1
Executive Order No. 7852, Mar. 29, 1938: Treasury.....	1	-----	1
Executive Order No. 7878, Apr. 29, 1938: Federal Security Agency.....	13	-----	13
Executive Order No. 7916, June 24, 1938:			
State.....	3	-----	3
Treasury.....	46	6	40
War.....	285	4	281
Justice.....	3	2	1
Navy.....	134	-----	134
Interior.....	570	14	556
Agriculture.....	1,193	8	1,185
Commerce.....	35	28	7
Commodity Credit Corporation.....	1	1	-----
Electric Home and Farm Authority.....	3	2	1
Federal Deposit Insurance Corporation.....	125	41	84
Railroad Retirement Board.....	1	1	-----
The Panama Canal.....	1	-----	1
Veterans' Administration.....	1,261	1	1,260
Federal Security Agency.....	728	-----	727
Federal Works Agency.....	1	1	-----
Federal Loan Agency.....	4	-----	4
Executive Order No. 7934, July 16, 1938: Federal Works Agency.....	1	-----	1
Executive Order No. 8339, Feb. 6, 1940: Labor.....	9	1	8
Executive Order No. 8383, Mar. 28, 1940: Interior.....	118	1	117
Executive Order No. 8447, June 17, 1940: Labor.....	15	15	-----
Executive Order No. 8457, June 27, 1940: General Accounting Office.....	30	30	-----
Executive Order No. 8494, July 25, 1940: Treasury.....	3	-----	3
Executive Order No. 8634, Jan. 14, 1941: Federal Works Agency.....	5	4	1
Executive Order No. 8638, Jan. 14, 1941: Agriculture.....	5	5	-----
Executive Order No. 8744, Apr. 24, 1941:			
Treasury.....	4	4	-----
War.....	4	4	-----
Navy.....	1	1	-----
Agriculture.....	1	-----	1
Maritime Commission.....	1	1	-----
Federal Works Agency.....	5	1	4
Total, by Executive orders.....	4,655	186	4,469

UNCLASSIFIED EMPLOYEES GRANTED CLASSIFIED STATUS, FISCAL YEAR
1941—continued

	Total	Departmental	Field
BY CIVIL-SERVICE RULES			
Rule II, sec. 6:			
Executive Office of the President	128	92	36
State	6	6	—
Treasury	246	180	66
War	15	3	12
Justice	26	11	15
Post Office	14	—	14
Navy	86	1	85
Interior	213	34	179
Agriculture	33	8	25
Commerce	7	2	5
Alley Dwelling Authority	7	6	1
Commodity Credit Corporation	3	1	2
General Accounting Office	2	2	—
Veterans' Administration	81	—	81
Civil Aeronautics Authority	3	1	2
Federal Security Agency	385	153	232
Federal Works Agency	42	38	4
National Mediation Board	1	1	—
Smithsonian Institution	15	15	—
District of Columbia Government	3	3	—
Office of the High Commissioner of the Philippines	1	—	1
Rule II, sec. 7: Post Office	179	—	179
Rule II, sec. 8:			
Executive Office of the President	1	1	—
Commerce	1	1	—
Interior	1	—	1
Rule II, sec. 9: Navy	1	—	1
Total, by civil-service rules	1,500	559	941
BY LEGISLATION			
Act of Congress, May 18, 1933 (48 Stat. 780): Agriculture	1	1	—
Act of Congress, Apr. 27, 1935 (49 Stat. 163): Agriculture	1	—	1
Act of Congress, May 27, 1935 (49 Stat. 292): Agriculture	1	—	1
Act of Congress, May 23, 1938 (52 Stat. 451): The National Archives	5	5	—
Act of Congress, June 23, 1938 (52 Stat. 981): Civil Aeronautics Authority	3	2	1
Acts of Congress, June 25, 1938:			
Post Office (52 Stat. 1076)	689	—	689
Railroad Retirement Board (52 Stat. 1100)	12	3	9
Acts of Congress, July 2, 1940:			
Railroad Retirement Board (Pub. 725, 76th Cong.)	3	3	—
District of Columbia Government (Pub. 719, 76th Cong.)	44	8	36
Act of Congress ("Ramspeck Act"), Nov. 26, 1940 (Pub. 880, 76th Cong.), sec. 2 (b):			
Executive Office of the President	3	3	—
War	4	4	—
Justice	3	3	—
Post Office	1	—	1
Navy	1	—	1
Interior	1	1	—
Agriculture	1	1	—
Commerce	4	4	—
Labor	1	—	1
Civil Service Commission	1	1	—
General Accounting Office	1	1	—
Government Printing Office	2	2	—
Maritime Commission	2	2	—
Federal Security Agency	1	1	—
Federal Works Agency	1	—	1
Total, by legislation	786	45	741
Grand total	6,941	790	6,151

APPROPRIATIONS AND EXPENDITURES

Appropriations, 1941

Salaries and expenses, 1941-----	\$4, 975, 000
Printing and binding, 1941-----	160, 000
Emergency fund for the President, Navy (allotment to Civil Service Commission), 1940 and 1941-----	2, 003, 674
Emergency fund for the President, War (allotment to Civil Service Commission), 1940-42-----	1, 672, 430
Prevention of pernicious political activities, Civil Service Commission, 1941-----	¹ 100, 000
Total-----	8, 911, 104

Expenditures, 1941

Personal services-----	7, 369, 188
Supplies and materials-----	612, 240
Storage and repairs for motortruck-----	200
Communication service-----	113, 050
Travel expense-----	325, 457
Transportation of things-----	15, 990
Printing and binding-----	28, 354
Repairs and alterations-----	8, 688
Special and miscellaneous current expense-----	55, 242
Equipment-----	277, 045

Total expenditures-----	8, 805, 454
Unexpended balance of appropriations-----	¹ 105, 650
Total-----	8, 911, 104

Appropriations, 1942

Salaries and expenses, 1942-----	5, 275, 000
Printing and binding, 1942-----	163, 900
National defense activities, Civil Service Commission, 1942-----	5, 000, 000
Prevention of pernicious political activities, Civil Service Commission, 1942-----	50, 000
Total-----	10, 488, 900

Retirement and Disability Funds, 1941

Civil-service retirement and disability fund, 1941-----	90, 754, 000
Canal Zone retirement and disability fund, 1941-----	1, 177, 000
Alaska Railroad retirement and disability fund, 1941-----	175, 000
Total-----	92, 106, 000

Retirement and Disability Funds, 1942

Civil-service retirement and disability fund, 1942-----	100, 911, 562
Canal Zone retirement and disability fund, 1942-----	1, 177, 000
Alaska Railroad retirement and disability fund, 1942-----	175, 000
Total-----	102, 263, 562

¹ \$25,000 of this amount is available for transfer to the 1942 fiscal year.

Appendix

EXECUTIVE ORDERS, FISCAL YEAR 1941

Orders Amending the Civil-Service Rules

No. 8587, November 7, 1940, 5 F. R. DI 4445.

By virtue of and pursuant to the authority vested in me by section 1753 of the Revised Statutes (U. S. C., title 5, sec. 631) and by the Civil Service Act (22 Stat. 403), the Civil Service Rules are hereby amended as follows:

Section 2 of rule I is amended to read as follows:

2. No disclosure or discriminations.—No question in any form of application or in any examination shall be so framed as to elicit information concerning the political or religious opinions or affiliations of any applicant, nor shall any inquiry be made concerning such opinions or affiliations, and all disclosures thereof shall be discountenanced, except as to such membership in political parties or organizations as constitutes by law a disqualification for Government employment. No discrimination shall be exercised, threatened, or promised by any person in the executive civil service against or in favor of any applicant, eligible, or employee in the classified service because of race, or his political or religious opinions or affiliations, except as may be authorized or required by law.

Rule I is further amended by adding thereto at the end thereof the following section to be numbered 4:

4. Attempting to secure withdrawals.—No applicant for competitive examination, or eligible on any civil service register, or officer or employee in the executive civil service, shall directly or indirectly persuade, induce, or coerce, or attempt to persuade, induce, or coerce any prospective applicant, applicant, or eligible to withhold filing application or to withdraw from competition or eligibility for positions in the competitive classified civil service, for the purpose of either improving or injuring the prospects or chances of any such applicant or eligible. The penalty for violation of this section by applicants or eligibles shall be cancelation of application or eligibility, as the case may be, and such other penalty as the Civil Service Commission may deem appropriate. The penalty for violation of this rule on the part of officers or employees in the executive civil service shall be such disciplinary action as the Commission shall direct.

Section 6 of rule II is amended to read as follows:

6. Excepted employees—when classified.—Except as provided in section 7 of this rule, a person holding a position when it is placed in the classified (competitive) service or otherwise is made subject to competitive examination shall, upon recommendation to the Commission by the head of the department or agency in which he is employed have all the rights which he would have acquired if appointed thereto by competitive examination: *Provided:* (a) That he has rendered 6 months of satisfactory active service in the civilian executive branch of the Federal Government immediately prior to the effective date of the change in status of the position, and continues to serve in such position for 60 days thereafter; (b) that he shall pass such appropriate noncompetitive tests of fitness as the Commission may prescribe; and (c) that he is not disqualified by any provision of section 3 of Civil Service Rule V or of any other civil service rule or by any provision of the Civil Service Act or any other statute or Executive order: *Provided further,* That in conferring a classified competitive status upon any employee under this or any other rule or any statute or Executive order, the Commission (a) may, in its discretion, exempt from the physical requirements established for any position any employee who has rendered long and faithful service in a civil capacity for the Government, and (b) may consider a person whose name is carried on the compensation rolls of the Employees' Compensation Commission as having rendered satisfactory active service in the position in which he last served for the period which his name is carried on such rolls.

Any person who fails to meet the above-stated requirements of this section may, in the discretion of the head of the agency concerned, be retained in the position

in which he is serving without acquiring a classified (competitive) status, but such employee may not be promoted, transferred, or assigned to any other classified (competitive) position.

Section 7 of rule II is amended to read as follows:

7. Classification in post offices.—The Postmaster General shall promptly notify the Commission of each order for the advancement of any post office from the third class to the second class, or for the consolidation of any post office with one in which the employees are classified as competitive. On the effective date of any such order, section 6 of this rule shall apply to the positions, officers, and employees of the offices affected, and all other provisions of these rules shall become applicable to all officers and employees who so qualify and to all such positions thereafter filled in the same manner as they apply to those in offices now classified. The Postmaster General shall, upon the date he reports the advancement of any post office from the third to the second class, or as soon thereafter as is practicable, notify the Commission as to which of the employees in such office he recommends for classification. Section 6 of this rule shall also apply to the position of postmaster of any office which may have been heretofore or may be hereafter relegated to the fourth class.

Section 8 of rule II is amended to read as follows:

8. Appointment without competitive examination in rare cases.—Whenever the Commission shall find that the duties or compensation of a vacant position are such, or that qualified persons are so rare, that in its judgment such position cannot, in the interest of good civil-service administration, be filled at that time through open competitive examination, it may authorize such vacancy to be filled without competitive examination; and in any case in which such authority is given, evidence satisfactory to the Commission of the qualifications of the person to be appointed without competitive examination shall be required. A detailed statement of the reasons for its action in any case arising hereunder shall be made in the records of the Commission and shall be published in its annual report. Any person heretofore or hereafter appointed under this rule shall acquire a competitive classified status under such regulations as the Commission may prescribe, but may not be transferred or assigned to any other position without the express prior approval of the Commission. Any subsequent vacancy in such position shall not be filled without competitive examination except upon express authority of the Commission in accordance with this section.

Rule II is further amended by adding thereto at the end thereof the following section to be numbered 9:

9. Service beyond seas.—A citizen of the United States who has rendered faithful service for not less than 7 years beyond the seas in a civil capacity not in contravention of the civil service laws or rules may be given a classified status under such regulations as the Commission may prescribe, upon certification by the head of the department or office in which he served that the case is one of exceptional merit: *Provided*, that shortly before such employment he resided for a substantial period of time in the United States.

Section 2 of rule III is amended to read as follows:

2. Noncompetitive examinations.—The Commission may give noncompetitive examinations to test fitness for (a) reinstatement, and (b) appointment to positions excepted from the classified service under these rules or by Executive order; and may give noncompetitive examination for transfer or promotion when in its opinion competitive examinations are not practicable.

Section 1 (b) of rule IV is amended to read as follows:

(b) Where qualified special examiners are not available in the Federal service, the Commission may designate individuals outside the service specially qualified by experience and training, and of outstanding reputation in their own field, to serve on a board of examiners for a particular examination, and may compensate them for such service on a per-diem basis.

Section 2 of rule IV is amended to read as follows:

2. Cooperation with other boards, commissions, and agencies.—The Commission shall render all practicable assistance to the Philippine and Puerto Rico civil service boards, and such other Federal, State, or local agencies as shall request its cooperation and offer like cooperation or adequately provide its share of the expense, and shall conduct or join in conducting examinations, upon their request, under such regulations as may be jointly agreed upon. The Commission may, in its discretion, certify eligibles from appropriate registers maintained by the Philippine and Puerto Rico civil service boards and the civil service boards of State and local agencies: *Provided*, that in the opinion of the Commission the

examinations from which such registers were established meet the requirements of these rules and the standards established for examinations for the Federal classified civil service.

Section 1 of rule V is amended to read as follows:

1. Citizenship.—No person shall be admitted to examination unless he is a citizen of or owes allegiance to the United States.

Section 3 of rule V is amended to read as follows:

3. Disqualifications.—The Commission may, in its discretion, refuse to examine an applicant for appointment or reinstatement or to certify an eligible for any of the following reasons: (a) Dismissal from the service for delinquency or misconduct; (b) physical or mental unfitness for the position for which he applies: *Provided*, that the Commission may, in its discretion, exempt from the physical requirements established for any position a disabled honorably discharged soldier, sailor, or marine, upon a certificate of the United States Veterans' Administration attesting that he has completed an appropriate and sufficient rehabilitatory course of training for the duties of the class of positions in which employment is sought: *Provided further*, that the Commission may, in its discretion, waive the physical requirements in the case of a disabled veteran not so trained to permit his examination; (c) criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct; (d) intentionally making a false statement as to any material fact, or practicing any deception or fraud in securing examination, registration, certification, or appointment; (e) refusal to furnish testimony as required by rule XIV; (f) habitual use of intoxicating beverages to excess; and (g) illegality of appointment applied for.

Any of the reasons stated in the foregoing subdivisions from (b) to (g), inclusive, shall also be sufficient cause for removal from the service.

Section 4 of rule V is amended to read as follows:

4. Age limits.—The Commission may, with the approval of the proper appointing officer, change by regulation the existing age limits for entrance to the examinations under these rules, but persons entitled to veteran preference may be examined without regard to age except for such positions as the Commission shall specify: *Provided*, That they have not reached the retirement age for the position sought.

The second paragraph of section 1 of rule VI is amended to read as follows:

Employees in any positions in the executive civil service who have a classified civil service status and who are qualified to enter any open competitive examination may, upon earning a passing mark therein, be placed also upon a separate list of eligible Government employees, which list may be certified separately in accordance with the civil service rules to fill vacancies occurring in the positions for which the examination is held. Age limitations may be waived and physical requirements modified for employees otherwise eligible to compete in such examinations. Employees eligible to compete in any such examination shall be granted annual leave of absence for the time required to take such examination.

Section 3 of rule VI is amended to read as follows:

3. Term of eligibility.—The term of eligibility shall be 1 year beginning with the date on which the name of the eligible is entered on the register. This term may be extended, in the discretion of the Commission, for all eligibles on the register when the conditions of good administration render it inexpedient to hold a new examination. After 2 years, the Commission may, in its discretion, as to examinations in which experience was part of the test, require a supplementary examination of additional and interim experience and reestablish the register after the rerating of such experience. In such cases those eligibles who fail to file additional experience data, as required by the Commission, or who fail to meet the requirements or to receive a passing mark on rerating, shall be dropped from the register.

Section 2 (b) of rule VII is amended to read as follows:

(b) Selections.—The nominating or appointing officer shall make selections for the first vacancy from not more than the highest three persons certified, or on the register, with sole reference to merit and fitness, unless objection shall be made and sustained by the Commission to one or more of the persons certified, for any of the reasons stated in rule V, section 3, or in the case of positions in Federal agencies concerned in preparedness and the national-defense program, for such other reasons as may be approved by the Commission. For the second vacancy the nominating or appointing officer shall make selection from not more than the highest three remaining who have not been within his reach for three separate

vacancies, or against whom objection has not been made and sustained in the manner indicated. The third and any additional vacancies shall be filled in like manner. More than one selection may be made from the three persons next in order for appointment, or from two persons if the register contains the names of only two, subject to the requirements of section 3 of this rule as to the apportionment.

An appointing officer who passes over an eligible veteran and selects a nonveteran shall file with the Civil Service Commission a statement setting forth in detail his reasons for so doing, which reasons shall not be made available to the veteran or to anyone else except in the discretion of the appointing officer. The Commission shall review these reasons and in every instance where they are not regarded as adequate shall so advise the head of the appropriate department or independent establishment for his consideration.

Any eligible who has been within reach for three separate vacancies in his turn may be subsequently selected, subject to the approval of the Commission, from the certificate on which his name last appeared, if the condition of the register has not so changed as to place him in other respects beyond reach of certification.

Section 2 (c) of rule VII is amended to read as follows:

(c) **Probationary appointment.**—A person selected for appointment shall be duly notified by the appointing officer and upon accepting and reporting for duty shall receive from such officer a certificate of probational appointment. The first six months of service under this appointment shall be a probationary period, but the Commission and the department concerned may by regulation fix a longer probationary period for any specified positions. If and when, after a full and fair trial, the conduct or capacity of the probationer is not satisfactory to the appointing officer, the probationer may at any time thereafter during this period be so notified in writing, with a full statement of reasons, and this notice shall terminate his service. Efficiency-rating reports of all probationers shall be filed periodically within the department at such times and in such form as the regulations of the Commission shall provide. If at the end of the probationary period the probationer's service rating has been satisfactory, to the extent required by regulation, a certificate to that effect filed within the department and his retention in the service shall confirm his absolute appointment. If, however, his service rating has been unsatisfactory as so provided, his service shall be terminated at the end of the probationary period.

A probationer separated from the service without delinquency or misconduct may be restored to the register of eligibles in the discretion of the Commission for the remainder of any period of eligibility thereon.

Section 1 of rule VIII is amended to read as follows:

1. **Pending regular filling of vacancy.**—Temporary appointment without examination and certification by the Commission shall not be made to a competitive position in any case, except when the public interest so requires, and then only upon the prior authorization of the Commission; and any appointment so authorized shall continue only for such period as may be necessary to make appointment through certification of eligibles, and in no case, without prior approval of the Commission, shall extend beyond 30 days from the date of the receipt by the appointing officer of the Commission's certificate. When a vacancy is to be filled by promotion, transfer, or reinstatement under the civil service rules and a temporary appointment is authorized by the Commission under the provisions of this section pending the promotion, transfer, or reinstatement, such temporary appointment shall in no case continue beyond the period of 30 days without prior approval of the Commission.

Section 3 of rule VIII is amended to read as follows:

3. **Pending full certification.**—Whenever there are less than three eligibles on any appropriate register for a position in which a vacancy exists, the Commission shall, upon requisition from the proper appointing officer, certify those eligibles who are on the register, who shall be considered by the appointing officer with a view to probational appointment. If the appointing officer shall elect not to make probational appointment from such certification and temporary appointment is required, the eligible or eligibles shall be considered by the appointing officer with a view to temporary appointment. Such temporary appointment may continue until three eligibles are provided. If selection is not made from the certification for either probational or temporary appointment under the provisions of this section, the temporary appointment, if required, may be made under the provisions of these rules.

Section 1 of rule IX is amended to read as follows:

1. **Certificate required—conditions.**—A person separated from a civilian

position in the Federal service after absolute appointment may, in the discretion of the Commission, be reinstated upon certificate of the Commission subject to the following limitations:

(a) Reinstatement may be made upon requisition by the appointing officer having a vacancy to fill: *Provided*, that such requisition is made within 1 year of separation if the period of service was less than 2 years, within 2 years if the period of service was 2 years or more but less than 3 years, within 3 years if the period of service was 3 years or more but less than 4 years, within 4 years if the period of service was 4 years or more but less than 5 years, and without time limit if the period of service was 5 years or more: *Provided further*, that the applicant is otherwise eligible under the conditions of the Executive order of June 2, 1920, relating to the reinstatement of employees: *Provided further*, that the time limit may be waived in the case of reinstatements to positions in Federal agencies concerned with preparedness and the national-defense program.

(b) A former classified employee entitled to military preference in appointment may be reinstated without time limit.

(c) A former classified employee retired upon annuity under the Civil Service Retirement Act by reason of total disability who is eligible for reinstatement by reason of recovery and termination of annuity, shall be eligible for reinstatement, subject to the conditions and limitations of the civil-service rules.

(d) No person may be reinstated to a position in the classified service who did not have a classified status at the time of separation, or who was not eligible for such status through examination.

(e) No person may be reinstated to a position in the classified service without passing an appropriate noncompetitive examination testing fully his fitness for the position when the Commission shall so require.

Section 2 of rule IX is amended to read as follows:

2. Probationer.—A person separated from the service during or at the end of his probationary period may be reinstated, subject to the other provisions of the civil-service rules, under the following conditions:

(a) If involuntarily separated without delinquency or misconduct, he may be reinstated to serve a new probation in any part of the service in any position for which he is qualified or can qualify in an appropriate noncompetitive examination; but reinstatement in the same position in or under the same department or agency will be to complete probation.

(b) If separated by reason of voluntary resignation, he may be reinstated only in the same office, in a position for which originally eligible, to complete probation.

Section 3 of rule IX is revoked.

Section 2 of rule X is amended to read as follows:

2. Transfers from excepted to competitive position.—No person may be transferred to a position in the classified service who does not have a classified (competitive) status or eligibility for such status.

Section 5 of rule X is amended to read as follows:

5. Without certificate.—Transfers otherwise in accordance with these rules may be made without certificate of the Commission in the following cases, unless different tests are prescribed for original entrance to the position to which transfer is proposed and unless otherwise provided by regulations of the Commission:

(a) Within the apportioned service of a department or agency.

(b) From a department or office in Washington, D. C., to field branches of the same department or agency.

(c) Within an agency in the nonapportioned service.

(d) Within the field service of a department or agency.

Section 8 of rule X is amended to read as follows:

8. Philippine service.—An officer or employee occupying a competitive position in the Philippine classified service who has served 3 years or more therein may be transferred to the Federal classified service, subject to the provisions of these rules; but the Commission may authorize the transfer of an officer or employee who has served 2 years in the Philippine classified service and who has been separated by necessary reduction of force or by displacement by a Filipino, if he is especially recommended by the Department of the Interior because of his efficiency and good character. In all cases of proposed transfer from the Philippine classified service the Interior Department shall furnish the Commission, for its consideration, all relevant information contained in its files, together with the service record of the employee.

Section 11 of rule X is revoked.

Section 5 of rule XII is amended to read as follows:

5. Retention of soldiers and sailors.—In harmony with statutory provisions, when reductions are being made in the force, in any part of the classified service, no employee entitled to military preference in appointment shall be discharged, dropped, or reduced in rank or salary before any employee not entitled to military preference in competition with him if his record is good; nor shall any unclassified laborer entitled to military preference in appointment be discharged, dropped, or reduced in rank or salary before any employee not entitled to military preference in competition with him if his efficiency rating is better than, or equal to, that of such nonpreference employee.

(Rule I, sec. 1; rule XII, sec. 5; rule XV)

No. 8705, March 5, 1941, 6 F. R. DI 1313.

By virtue of and pursuant to the authority vested in me by the Civil Service Act (22 Stat. 403), and by section 1753 of the Revised Statutes (U. S. C., title 5, sec. 631), the civil-service rules are hereby amended as follows:

Section 1 of rule I is amended to read:

1. No interference with elections.—No person in the executive civil service shall use his official authority or influence for the purpose of interfering with an election or affecting the results thereof. Persons who by the provisions of these rules are in the competitive classified service, while retaining the right to vote as they please and to express their opinions on all political subjects, shall take no active part in political management or in political campaigns.

Section 5 of rule XII is amended to read:

5. Retention of soldiers and sailors.—In harmony with statutory provisions, when reductions are being made in the force, in any part of the classified service, no employee entitled to military preference in appointment shall be discharged, dropped, or reduced in rank or salary before any employee not entitled to military preference in competition with him if his record is good; nor shall any classified employee entitled to military preference in appointment be discharged, dropped, or reduced in rank or salary before any employee not entitled to military preference in competition with him if his efficiency rating is less than good but better than, or equal to, that of any such nonpreference employee.

Civil service rule XV is amended to read:

Legal appointment necessary to compensation.—Whenever the Commission finds, after due notice and opportunity for explanation, that any person has been appointed to or is holding any position, whether by original appointment, promotion, assignment, transfer, or reinstatement, in violation of the Civil Service Act or Rules, or of any Executive order or any regulation of the Commission, or that any employee subject thereto has violated such act, rules, orders, or regulations, it shall certify the facts to the proper appointing officer with specific instructions as to discipline or dismissal of the person or employee affected. If the appointing officer fails to carry out the instructions of the Commission within 10 days after receipt thereof, the Commission shall certify the facts to the proper disbursing and auditing officers, and such officers shall make no payment or allowance of the salary or wages of any such person or employee thereafter accruing.

This order shall be effective as of November 7, 1940.

(Rule IX, sec. 2; rule X, sec. 6)

No. 8707, March 10, 1941, 6 F. R. DI 1399.

By virtue of the authority vested in me by section 2 of the Civil Service Act (22 Stat. 403, 404), and by section 1753 of the Revised Statutes of the United States (U. S. C., title 5, sec. 631), the civil-service rules are hereby amended as follows:

Section 2 of civil-service rule IX, governing reinstatement, is amended by adding thereto the following subdivision:

“(c) If separated without prejudice either voluntarily or involuntarily after at least six months of satisfactory service in a position having a probationary period in excess of six months, he may be reinstated in any part of the service

in any position for which he is qualified or can qualify through noncompetitive examination: *Provided*, that reinstatement to a position having a probationary period in excess of six months will be to complete probation."

Subdivision (a) of section 6 of civil-service rule X, governing transfer, is amended to read:

"(a) **Absolute appointment.**—Such person must have received absolute appointment, except that a probationer who has completed at least six months of satisfactory service in a position having a probationary period in excess of six months may be transferred to any part of the service: *Provided*, that transfer to another position having a probationary period in excess of six months will be to complete probation."

Order Amending Schedules A and B of the Civil Service Rules

No. 8534, September 6, 1940, 5 F. R. DI 3601.

By virtue of and pursuant to the authority vested in me by the Constitution, by Section 1753 of the Revised Statutes (5 U. S. C. 631), by the Civil Service Act of January 16, 1883 (22 Stat. 403), and as President of the United States, Schedules A and B of the Civil Service Rules are hereby amended to read as follows:

SCHEDULE A

POSITIONS EXCEPTED FROM EXAMINATION UNDER SECTION 3, CIVIL SERVICE RULE II

I. ENTIRE EXECUTIVE CIVIL SERVICE

1. Chaplains.
2. Cooks, when in the opinion of the Commission it is not expedient to make appointment upon competitive examination; but this paragraph shall not apply to positions of cook at fixed locations, such as hospitals, quarantine stations, or penal institutions.
3. Positions to which appointments are made by the President without confirmation by the Senate.
4. Special attorneys employed on a temporary basis for specific litigation or other legal work where knowledge of local values or conditions or other specialized qualifications not possessed by the attorneys regularly employed by the department are required for successful results. Such temporary employment shall be only for such time as is required to complete the specific assignment for which the original appointment was approved.
5. Chinese, Japanese, and Hindu interpreters.
6. Any person receiving from one department or establishment of the Government for his personal salary compensation aggregating not more than \$540 per annum whose duties require only a portion of his time, or whose services are needed for very brief periods at intervals, provided that employment under this provision shall not be for job work such as contemplated in section 4 of rule VIII. This paragraph does not apply to employments in Washington, D. C. The name of the employee, designation, duties, rate of pay, and place of employment shall be shown in the periodical reports of changes; and in addition, when payment is not at a per annum rate, the total service rendered and the distribution of such service during the year shall be shown in the report of changes at the end of each year or when the employee is separated from the service. The additional employment under similar conditions of such a person by another department or establishment of the Government will be subject to the approval of the Commission.
7. Any person employed in a foreign country or in the Virgin Islands, or in Puerto Rico when public exigency warrants, or in any island possession of the United States in the Pacific ocean (except the Hawaiian Islands), or United States citizens employed in the Philippine Islands, when in the opinion of the Commission it is not practicable to treat the position as in the competitive classified service; but this paragraph shall not apply to any person employed in Canada or Mexico in the service of the Immigration and Naturalization Service, Department of Justice, or to any person employed in any foreign country by the Bureau of Customs of the Treasury Department.
8. Officers and employees in the Federal service on the Isthmus of Panama, except accountant, bookkeeper, clerk, draftsman, physician, playground director, statistician, stenographer, surgeon, trained nurse, typist, and harbor personnel in

the Quartermaster Corps of the War Department. Appointments to clerical positions on the Isthmus of Panama paying \$100 in United States currency per month or less may be made without examination.

9. Positions in Alaska when, in the opinion of the Commission, the use of existing registers or the establishment of new registers is considered impracticable. Former employees who served in positions excepted under this paragraph may be reinstated to positions in Alaska in the department in which they served upon recommendation of the appointing officer and approval of the Civil Service Commission.

10. Temporary, part-time, or intermittent employments of mechanics, skilled laborers, and tradesmen on construction or repair work in the field services, in places where there is no local board of examiners of the Civil Service Commission for the employing establishment, and where the Commission deems it impracticable to establish registers of eligibles. Seasonal employments of a recurring nature are not authorized under this paragraph.

II. STATE DEPARTMENT

1. Three special assistants to the Secretary of State.

2. All employees of international commissions, congresses, conferences, and boards, except the International Joint Commission; the International Boundary Commission, United States and Mexico; and the International Boundary Commission, United States, Alaska, and Canada.

3. Chief and two assistant chiefs of the foreign service buildings office.

4. Two private secretaries or confidential assistants to the Secretary of State, and one to each Assistant Secretary of State.

5. One private secretary or confidential assistant to the head of each bureau in the State Department appointed by the President.

6. One chauffeur for the Secretary of State.

7. Gage readers employed part-time or intermittently by the International Boundary Commission, United States and Mexico, at such isolated localities that in the opinion of the Commission the establishment of registers is impracticable.

III. TREASURY DEPARTMENT

1. Two private secretaries or confidential assistants to the Secretary of the Treasury, and one to each Assistant Secretary of the Treasury.

2. One private secretary or confidential assistant to the head of each bureau in the Treasury Department appointed by the President.

3. Special employees in the field service of the Bureau of Narcotics; and special employees for temporary detective work in the field service of the Bureau of Internal Revenue under the appropriation for detecting and bringing to trial and punishment persons violating the internal revenue laws. Appointments under this paragraph shall be limited to persons whose services are required because of individual knowledge of violations of the law, and such appointments shall be continued only so long as the personal knowledge possessed by the appointee of such violation makes his services necessary. This exemption from competition is for special and unusual cases only and report shall be made to the Commission by letter as soon as the appointment is made.

4. Bureau of Customs: Positions in foreign countries designated as "interpreter-translator" and "special employee," when filled by appointment of persons who are not citizens of the United States; and positions in foreign countries of messenger and janitor.

5. Coast Guard: Lamplighters in the Lighthouse Service.

IV. WAR DEPARTMENT

1. Two private secretaries or confidential assistants to the Secretary of War and one to each Assistant Secretary of War.

2. One chauffeur for the Secretary of War.

3. United States Army Transport Service: Longshoremen employed at ports in the United States; and the following positions on transport ships: Seaman, water tender, oiler, fireman, wiper, room-bath and deck steward, messman, mess-boy, dishwasher, janitor, porter, scullion, silver and glass man, watchman, head waiter, waiter, bellboy, barber, laundryman, Post Exchange steward, administrative assistant-Post Exchange, soda dispenser; and all grades of the following: Cook, baker, butcher, pantryman. The Commission, with the concurrence of the Secretary of War, is authorized to include in the classified service any of the

foregoing positions which are of a character and stability of tenure similar to those now classified.

4. Positions the duties of which are of a quasi-military nature and involve the security of secret or confidential matter, when in the opinion of the Commission they cannot be filled from registers of eligibles.

5. One consulting architect for work of reconstructing the United States Military Academy, West Point, N. Y.

6. In the Philippine Islands: Artisans engaged in a recognized trade, craft or skilled (manual) occupation; helpers in such occupations; and other subordinate employees in similar manual occupations; when, in the opinion of the Commission, the establishment of registers is impracticable.

7. Caretakers of abandoned military reservations or of abandoned or unoccupied military posts when the positions are filled by retired noncommissioned officers or enlisted men.

8. Civilian professors, instructors, and teachers at the United States Military Academy, West Point, N. Y., except the following: Civilian instructor of wrestling, civilian instructor of boxing, civilian instructor of gymnastics, chapel organist and choirmaster, teacher at the children's school, and librarian.

9. Physicians and surgeons employed on a fee basis or under contract when, in the opinion of the Commission, the establishment of registers is impracticable.

10. Employees at Army hospitals in the Philippines and in Puerto Rico when, in the opinion of the Commission, the establishment of registers is impracticable.

11. Messenger boys employed on the Alaska Communications System.

12. Internes (medical and dental) in Army hospitals.

V. NAVY DEPARTMENT

1. Two private secretaries or confidential assistants to the Secretary of the Navy, and one to each Assistant Secretary of the Navy.

2. Professors, instructors, and teachers in the United States Naval Academy.

3. Positions the duties of which are of a quasi-naval character and involve the security of secret or confidential matter when, in the opinion of the Commission, they cannot be filled from registers of eligibles.

4. Positions of attendant and orderly at the United States Naval Home when filled by the appointment of beneficiaries of the Home.

5. At the naval stations at Cavite, Olongapo, and Guantanamo: Artisans engaged in a recognized craft, trade, or skilled (manual) occupation; helpers in such occupations; other subordinate employees in similar manual occupations; supervisory employees over workers in these occupations; when, in the opinion of the Commission, the establishment of registers is impracticable.

VI. DEPARTMENT OF JUSTICE

1. Director and not more than three assistant directors of prisons.

2. Two private secretaries or confidential assistants to the Attorney General, and one to each of the following: Assistant to the Attorney General, Solicitor General, Assistant Solicitor General, and each Assistant Attorney General.

3. One chauffeur for the Attorney General.

4. Eight positions in the immediate office of the Attorney General in addition to those excepted under paragraph 2 of this subdivision.

5. Members of the board of parole.

6. During the period beginning July 1, 1940, and ending June 30, 1941, all positions in the Federal Bureau of Investigation except fingerprint classifiers.

7. National Training School for Boys: The Superintendent.

8. Federal Prison Industries, Inc.: The Commissioner of Industries.

VII. POST OFFICE DEPARTMENT

1. Two private secretaries or confidential assistants to the Postmaster General, one to each Assistant Postmaster General, and one to the Solicitor of the Post Office Department.

2. One private secretary or confidential assistant to the head of each bureau (or office) in the Post Office Department in Washington, D. C., who is appointed by the President.

3. All employees in post offices of the third and fourth class, except postmasters and village delivery carriers.

4. One chauffeur for the Postmaster General.

5. Two special assistants to the Postmaster General.

VIII. DEPARTMENT OF THE INTERIOR

1. Two private secretaries or confidential assistants to the Secretary of the Interior and one to each Assistant Secretary of the Interior.
2. One chauffeur for the Secretary of the Interior.
3. The assistant to the Secretary in the office of the Secretary of the Interior.
4. Consulting engineers, geologists, and economists on reclamation work in agriculture.
5. Positions in the Bureau of Indian Affairs, Washington, D. C., and in the field, when filled by the appointment of Indians who are of one-fourth or more Indian blood.
6. One private secretary or confidential assistant to the head of each bureau in the Interior Department who is appointed by the President, and one each to the Governors of Alaska, Hawaii, Puerto Rico, and the Virgin Islands.
7. All employees of the Neopit Lumber Mills on the Menominee Indian Reservation in Wisconsin.
8. Agricultural extension agents and home demonstration agents employed in field positions in the Indian Service, the work of which is financed jointly by the Indian Service and cooperating persons, organizations or governmental agencies outside the Federal service.
9. Local physicians and dentists employed in the Indian Service on a part-time or fee basis or under contract, when, in the opinion of the Commission, the establishment of registers is impracticable.
10. Temporary, intermittent, or seasonal positions in the National Park Service when filled by the appointment of persons who are certified as maintaining a permanent and exclusive residence within, or contiguous to, a National Park and as being dependent for livelihood primarily upon employment available within the National Park, subject to the approval of the Commission.
11. Seaman, deckhand, fireman, cook, mess attendant, and water tender on vessels of the Fish and Wildlife Service.
12. Housekeepers in the Indian Service, at a gross salary not in excess of \$600 per annum.
13. Agents in the Fish and Wildlife Service and the Grazing Service employed in field positions, the work of which is financed jointly by the Interior Department and cooperating persons or organizations outside the Federal service.
14. Positions in the field service of the Fish and Wildlife Service concerned with scientific fishery investigations when filled by the appointment of students at colleges and universities of recognized standing: *Provided*, that substantial contributions to the investigations are made by such colleges or universities in money, services, or materials or in the use of buildings, laboratories, equipment, or facilities or otherwise. Such employments may be continued under this authority only so long as the appointee is a bona fide student at the particular college or university and receives academic credit toward a degree for the work which he is performing for the Fish and Wildlife Service.

IX. DEPARTMENT OF AGRICULTURE

1. (a) Agents employed in field positions the work of which is financed jointly by the department and cooperating persons, organizations, or governmental agencies outside the Federal service.
(b) Local agents, except veterinarians, employed temporarily outside of Washington in demonstrating in their respective localities the necessity of eradicating cattle ticks, scabies, hog cholera, and animal tuberculosis, and other contagious or infectious animal diseases.
(c) Positions the duties of which require a speaking knowledge of one of the Indian languages.
In making appointments under subparagraphs (a), (b) or (c) of this paragraph, a full report shall be submitted immediately by the Department to the Commission setting forth the name, designation, and compensation of the appointee and a statement of the duties to which he is to be assigned and of his qualifications for such duties, in such detail as to indicate clearly that the appointment is properly made under one of the above classes. The same procedure shall be followed in case of the assignment of any such agent to duties of a different character.
2. One chauffeur for the Secretary of Agriculture.
3. Two private secretaries or confidential assistants to the Secretary of Agriculture, and one to each Assistant Secretary of Agriculture.
4. Student assistants whose salaries shall not exceed a rate of \$480 a year while employed. Only bona fide students at high schools or colleges of recognized

standing shall be eligible for appointment under this paragraph. Appointments shall not exceed 6 months in any 1 calendar year, except in exceptionally meritorious cases, and then only upon prior approval of the Commission. Appointments under this paragraph shall be reported to the Commission in such form as the Commission may prescribe.

5. Temporary, intermittent or seasonal positions in the Forest Service when filled by the appointment of persons who are certified as maintaining a permanent and exclusive residence within, or contiguous to, a national forest and as being dependent for livelihood primarily upon employment available within the national forest, subject to the approval of the Commission.

6. Two assistants to the Secretary in the office of the Secretary of Agriculture.

7. Any local veterinarian employed on a fee basis or a part-time basis where, in the opinion of the Commission, the establishment of registers is impracticable.

8. Farm Credit Administration: One private secretary or confidential assistant each to the Governor of the Farm Credit Administration, the Land Bank Commissioner, the Intermediate Credit Commissioner, the Production Credit Commissioner, and the Cooperative Bank Commissioner.

9. Farm Credit Administration: Positions in the Federal Intermediate Credit Banks and the Production Credit Corporations.

10. Farm Credit Administration: Positions in the Regional Agricultural Credit Corporations.

11. Farm Credit Administration: Agents employed in field positions the work of which is financed jointly by the Administration and cooperating persons, organizations, or governmental agencies outside the Federal service.

12. Commodity Credit Corporation: Members of the Board of Directors.

X. EXECUTIVE OFFICE OF THE PRESIDENT

1. Bureau of the Budget: One private secretary or confidential assistant each to the Director and Assistant Director.

2. National Resources Planning Board: Professional, scientific and technical experts (including part-time advisors, part-time chairmen of field offices, and part-time chairmen and members of technical advisory committees) employed for short periods for consultation purposes.

3. National Resources Planning Board: Employees in field positions the work of which is financed jointly by the Board and cooperating organizations or Governmental agencies outside the Federal Service.

4. National Resources Planning Board: Student assistants whose salaries shall not exceed a rate of \$480 a year while employed. Only bona fide students at high schools and colleges of recognized standing shall be eligible for appointment under this paragraph. Appointments shall not exceed 6 months in any 1 calendar year, except in exceptionally meritorious cases and then only upon prior approval of the Commission. Appointments under this paragraph shall be reported to the Commission in such form as the Commission may prescribe.

XI. DEPARTMENT OF COMMERCE

1. Two private secretaries or confidential assistants to the Secretary of Commerce, and one to each Assistant Secretary of Commerce.

2. One private secretary or confidential assistant to the head of each bureau in the Department of Commerce who is appointed by the President.

3. One chauffeur for the Secretary of Commerce.

4. Student assistants in the National Bureau of Standards whose salaries shall not exceed a rate of \$480 a year while employed. Only bona fide students at high schools or colleges of recognized standing pursuing technical or scientific courses shall be eligible for appointment under this paragraph. Appointments shall not exceed 6 months in any 1 calendar year, except in especially meritorious cases, and then only upon prior approval of the Commission. Appointments under this paragraph shall be reported to the Commission in such form as the Commission may prescribe.

5. Seaman, deckhand, fireman, cook, mess attendant, and water tender on vessels of the Department of Commerce. The Commission, with the concurrence of the Secretary of Commerce, is authorized to include in the classified service any of the foregoing positions which are of a character and stability of tenure similar to those now classified.

6. Six assistants to the Secretary in the office of the Secretary of Commerce.

7. Temporary appointments to such positions required in connection with the

surveying operations of the field service of the Coast and Geodetic Survey as may be authorized by the Commission after consultation with the Department of Commerce. Appointments to such positions shall not exceed 6 months in any 1 calendar year.

8. Caretakers and helpers at magnetic and seismological observatories outside continental United States.

9. Caretakers and light attendants employed on emergency landing fields and other air navigation facilities.

10. One confidential assistant to each of the members of the Civil Aeronautics Board and to the Administrator, provided that the position of private secretary exempt by statute from competitive civil service requirements in each case is filled by the appointment of a classified civil service employee.

11. Agents to take and transmit meteorological observations in connection with airways, whose duties require only part of their time, and whose compensation does not exceed \$100 a month.

XII. INTERSTATE COMMERCE COMMISSION

1. One private secretary or confidential assistant to each commissioner.

XIII. DEPARTMENT OF LABOR

1. Commissioners of conciliation in labor disputes whenever in the judgment of the Secretary of Labor the interests of industrial peace so require.

2. Three special assistants to the Secretary in the office of the Secretary.

3. One private secretary or confidential assistant to the head of each bureau in the Department of Labor who is appointed by the President.

4. Two private secretaries or confidential assistants to the Secretary of Labor, and one to each Assistant Secretary of Labor.

XIV. GENERAL ACCOUNTING OFFICE

1. One private secretary or confidential assistant to the Comptroller General.

XV. MARITIME LABOR BOARD

1. One private secretary or confidential assistant to each member of the Board.

XVI. BOARD OF TAX APPEALS

1. One private secretary or confidential assistant to each member of the Board.

XVII. FEDERAL LOAN AGENCY

1. Electric Home and Farm Authority: Members of the Board of Trustees.

2. Export-Import Bank of Washington: Members of the Board of Trustees.

3. Export-Import Bank of Washington: One private secretary or confidential assistant to each member of the Board of Trustees.

XVIII. VETERANS' ADMINISTRATION

1. Five special assistants to the Administrator.

2. One private secretary or confidential assistant to the Administrator.

3. Professional or technical specialists when employed temporarily for consultation purposes.

4. Positions in Veterans' Administration facilities when filled by the appointment of members of such facilities receiving domiciliary care if, in the opinion of the Veterans' Administration, the duties can be satisfactorily performed by such members.

5. Any local physician or dentist employed on a fee basis or a part-time basis when, in the opinion of the Commission, the establishment of registers is impracticable.

XIX. FEDERAL SECURITY AGENCY

1. Two private secretaries or confidential assistants to the Administrator of the Federal Security Agency.

2. Social Security Board: One private secretary or confidential assistant to each member of the Board.

3. Public Health Service: Special escorts to accompany patients of the Public Health Service in accordance with existing laws and regulations. Employments under this paragraph shall be only for the period of time necessary for the escort to deliver the patient to his destination and to return.

4. Public Health Service: Classified positions at Government sanatoria when filled by patients during treatment or convalescence.

5. Public Health Service: All persons actually employed in leprosy, yellow fever, and psittacosis investigation stations.

6. Public Health Service: Any local physician or dentist employed on a fee basis or a part-time basis when, in the opinion of the Commission, the establishment of registers is impracticable.

7. Public Health Service: Employees engaged on problems in preventive medicine financed or participated in by the Federal Security Agency and a cooperating State, county, municipality, incorporated organization, or an individual, in which at least one-half of the expense is contributed by the cooperating agency either in salaries, quarters, materials, equipment, or other necessary elements in the carrying on of the work.

8. Public Health Service: Professional, technical, or scientific specialists when employed on a fee basis or part-time basis as consultants in connection with problems in preventive medicine, such appointments to be subject to the prior approval of the Commission.

9. Public Health Service: Internes (medical and dental).

10. Public Health Service: Research associates holding fellowships for a fixed term of service in the National Institute of Health under the act approved May 26, 1930. The qualifications for such research associates shall be subject to approval by the Commission.

11. Public Health Service: One position of cook (oriental style), one position of kitchenman-waiter, and one position of attendant-messenger-interpreter at the Immigration Hospital, Angel Island, Calif.

12. Freedmen's Hospital: Pupil nurses, internes, and resident physicians.

13. St. Elizabeths Hospital: Visiting physicians and organist.

XX. EMPLOYEES' COMPENSATION COMMISSION

1. One private secretary or confidential assistant to each Commissioner.

XXI. U. S. MARITIME COMMISSION

1. All positions on Government owned ships operated by the U. S. Maritime Commission.

XXII. FEDERAL POWER COMMISSION

1. One private secretary or confidential assistant to each Commissioner.

XXIII. SECURITIES AND EXCHANGE COMMISSION

1. One private secretary or confidential assistant to each member of the Commission.

XXIV. NATIONAL RAILROAD ADJUSTMENT BOARD

1. One private secretary or confidential assistant to each member of the Board.

XXV. NATIONAL MEDIATION BOARD

1. One private secretary or confidential assistant to each member of the Board.

XXVI. FEDERAL DEPOSIT INSURANCE CORPORATION

1. One private secretary or confidential assistant to each member of the Board of Directors.

2. All field positions concerned with the work of liquidating the assets of closed banks or the liquidation of loans to banks, and all temporary field positions the work of which is concerned with paying the depositors of closed insured banks.

XXVII. ADVISORY COMMISSION TO COUNCIL OF NATIONAL DEFENSE

1. One private secretary or confidential assistant to each member of the Advisory Commission to Council of National Defense.

SCHEDULE B

POSITIONS WHICH MAY BE FILLED UPON NONCOMPETITIVE EXAMINATION

I. INTERIOR DEPARTMENT

1. Any competitive position at an Indian school when filled by the wife of a competitive employee of the school, when because of isolation or lack of quarters, the Commission deems it in the interest of the service to have appointment made upon noncompetitive examination.

2. Twelve field representatives to act as the immediate and confidential representatives of the Commissioner of Indian Affairs, subject to such evidence of qualifications as the Commission may prescribe after consultation with the Commissioner of Indian Affairs.

II. FEDERAL WORKS AGENCY

1. Such administrative or custodial positions in the field service of the United States Housing Authority relating to the management or maintenance of Federal low-rent housing projects which, in the opinion of the Commission, cannot be filled satisfactorily through open competitive examinations; provided that no position shall be filled under this paragraph unless it is clearly demonstrated that the best interests of the service will be served thereby.

III. DEPARTMENT OF COMMERCE

1. Not to exceed six specialists who may be employed in the United States for the purpose of promoting the foreign and domestic commerce of the United States.

2. Special agents employed in collecting cotton statistics.

IV. WAR DEPARTMENT

1. Positions of military storekeeper in the Signal Service at Large when filled by retired noncommissioned officers of the Signal Corps.

2. Four positions of headquarters messenger at the headquarters of the Philippine Department, when filled by honorably discharged enlisted men who have been on duty at those headquarters.

3. Any person employed in an area outside the continental limits of the United States (except the Canal Zone and Alaska), when in the opinion of the Secretary of War the best interests of the service so require.

4. Classified positions in the field service of the War Department when filled by the promotion of unclassified laborers appointed under the Labor Regulations, subject to the approval of the Commission.

V. DISTRICT OF COLUMBIA

1. Surgeons of the police and fire departments of the District of Columbia.

VI. TREASURY DEPARTMENT

1. Classified positions in the field service of the Treasury Department, when filled by the promotion of unclassified laborers appointed under the Labor Regulations, subject to the approval of the Commission.

VII. STATE DEPARTMENT

1. Specialists in foreign relations, political, economic, and financial, whose proposed compensation is \$3,200 or more, and whose training and experience along the lines of their proposed duties meet the standard minimum qualifications set up in open competitive examinations for positions in the professional service for corresponding grades.

2. Persons formerly employed abroad as United States diplomatic or consular officers of career or foreign-service officers of career for the period of at least 4 years, for service in the Department of State as administrative officers or executive advisers in positions comparable in salary with the associate professional grade or higher.

VIII. NAVY DEPARTMENT

1. Such positions of a professional, scientific, technical, or supervisory nature under the Naval Establishment in the Philippine Islands, as may be agreed upon by the Secretary of the Navy and the Commission.

2. Any person employed in an area outside the continental limits of the United States (except the Canal Zone and Alaska), when in the opinion of the Secretary of the Navy the best interests of the service so require.

3. Classified positions in the field service of the Navy Department and the Marine Corps when filled by the promotion of unclassified laborers appointed under the Labor Regulations, subject to the approval of the Commission.

IX. PCST OFFICE DEPARTMENT

1. One postal rate expert.

X. VETERANS' ADMINISTRATION

1. Classified positions in the Veterans' Administration when filled by the promotion of unclassified laborers appointed under the Labor Regulations, subject to the approval of the Commission.

XI. DEPARTMENT OF AGRICULTURE

1. Classified positions in the field service of the Department of Agriculture when filled by the promotion of unclassified laborers appointed under the Labor Regulations, subject to the approval of the Commission.

XII. THE NATIONAL ARCHIVES

1. Classified positions in the National Archives when filled by the promotion of unclassified laborers appointed under the Labor Regulations, subject to the approval of the Commission.

XIII. DEPARTMENT OF JUSTICE

1. National Training School for Boys: Assistants to cottage officers when filled by the appointment of bona fide students at colleges or universities at salaries not in excess of \$540 per annum, subject to the approval of the Commission.

XIV. SMITHSONIAN INSTITUTION

1. Classified positions in the Smithsonian Institution when filled by the promotion of unclassified laborers appointed under the Labor Regulations, subject to the approval of the Commission.

* * * * *

The Civil Service Commission with the concurrence of the department or agency concerned may revoke in whole or in part any paragraph of Schedule A or B.

Final decision as to whether the duties of any position in the executive civil service are such that appointments thereto are authorized under any paragraph of Schedule A or B shall rest with the Civil Service Commission.

Orders Amending Schedule A (Civil-Service Rule II, Sec. 3)

(Subdivision VII, par. 5)

No. 8563, October 8, 1940, 5 F. R. DI 4049.

By virtue of and pursuant to the authority vested in me by paragraph eighth, subdivision second, section 2 of the Civil Service Act (22 Stat. 403, 404), it is ordered that subdivision VII, Schedule A of the Civil Service Rules be, and it is hereby amended by adding the following:

"5. Temporary clerks, carriers, and laborers required for part-time or intermittent work in the Postal Service in connection with the holiday or seasonal business from November 15, 1940, to January 15, 1941."

(Subdivision I, par. 7)

No. 8585, November 7, 1940, 5 F. R. DI 4425.

By virtue of and pursuant to the authority vested in me by paragraph eighth, subdivision second, section 2 of the Civil Service Act (22 Stat. 404), it is ordered that paragraph 7, subdivision I, Schedule A of the Civil Service Rules be, and it is hereby, amended to read as follows:

"7. Any person employed in a foreign country or in the Virgin Islands, or in Puerto Rico when public exigency warrants, or in any island possession of the United States in the Pacific Ocean (except the Hawaiian Islands), or in the Philippine Islands, when in the opinion of the Civil Service Commission it is not practicable to treat the position as in the competitive classified service; but this paragraph shall not apply to any person employed in Canada or Mexico in the service of the Immigration and Naturalization Service, Department of Justice, or to any person employed in any foreign country by the Bureau of Customs of the Treasury Department."

(Subdivision IX, par. 13)

No. 8620, December 23, 1940, 5 F. R. DI 5256.

By virtue of and pursuant to the authority vested in me by the provisions of paragraph eighth, subdivision second, section 2 of the Civil Service Act (22 Stat. 403, 404), it is ordered that subdivision IX of Schedule A of the Civil Service Rules be, and it is hereby, amended by the addition of the following paragraph:

"13. Rural Electrification Administration: One private secretary or confidential assistant to the Administrator of the Rural Electrification Administration."

(Subdivision XIX, par. 14)

No. 8687, February 17, 1941, 6 F. R. DI 1063.

By virtue of and pursuant to the authority vested in me by paragraph eighth, subdivision second, section 2 of the Civil Service Act (22 Stat. 403, 404), it is ordered that subdivision XIX of Schedule A of the Civil Service Rules be, and it is hereby, amended by the addition of the following paragraph:

14. Food and Drug Administration: Professional, technical, or scientific specialists when employed intermittently for short periods, not to exceed a total of 60 days in any 1 year, as members of the Standards Committee for duty in connection with the formulation of definitions and standards of identity and quality for food products, or as consultants upon problems in their specialized fields having to do with enforcement of the Food, Drug and Cosmetic Act.

(Subdivision XXVIII)

No. 8740, April 22, 1941, 6 F. R. DI 2119.

By virtue of the authority vested in me by section 2 of the Civil Service Act (22 Stat. 403, 404), and section 1753 of the Revised Statutes of the United States, it is ordered as follows:

* * * * *

2. Schedule A of the Civil Service Rules is hereby amended by adding thereto the following subdivision:

"XXVIII. ALLEY DWELLING AUTHORITY

1. The Executive Officer of the Alley Dwelling Authority."

(Subdivision VI, par. 6)

No. 8768, June 3, 1941, 6 F. R. DI 2743.

By virtue of and pursuant to the authority vested in me by paragraph eighth of subdivision second of section 2 of the Civil Service Act of January 16, 1883 (22 Stat. 403, 404), paragraph 6, subdivision VI of Schedule A of the Civil Service Rules is hereby amended to read as follows:

"6. All positions in the Federal Bureau of Investigation."

(Subdivision I, par. 7; subdivision II, par. 1; subdivision XI, par. 12; subdivision XXIX; subdivision XXX)

No. 8803, June 25, 1941, 6 F. R. DI 3109.

By virtue of the authority vested in me by paragraph eighth of subdivision second of section 2 of the Civil Service Act (22 Stat. 403, 404), it is hereby ordered as follows:

SECTION 1. Paragraph 7, subdivision I of Schedule A of the Civil Service Rules is hereby amended to read as follows:

7. Any person employed in a foreign country, or in the Virgin Islands, or in Puerto Rico when public exigency warrants, or in any island possession of the United States in the Pacific Ocean (except the Hawaiian Islands), or in the Philippine Islands, when in the opinion of the Commission it is not practicable to treat the position as in the competitive classified service; but this paragraph shall not apply to any person employed in Canada or Mexico in the service of the Immigration and Naturalization Service, Department of Justice, or to any person employed in any foreign country or in the Virgin Islands by the Bureau of Customs of the Treasury Department.

SECTION 2. Paragraph 1, subdivision II of Schedule A of the Civil Service Rules is hereby amended to read as follows:

1. Five special assistants to the Secretary of State.

SECTION 3. Subdivision XI of Schedule A is hereby amended by the addition of a new paragraph to be numbered 12 and to read as follows:

12. Weather Bureau: Agents employed in field positions the work of which is financed jointly by the Department of Commerce and cooperating persons, organizations, or governmental agencies outside the Federal service.

In making appointments under this paragraph, a full report shall be submitted immediately by the Weather Bureau to the Commission, setting forth the name, designation and compensation of the appointee and a statement of the duties to which he is to be assigned and of his qualifications for such duties in such detail as to indicate clearly that the appointment is properly made under the above paragraph. The same procedure shall be followed in case of the assignment of any such agent to duties of a different character.

SECTION 4. Schedule A of the Civil Service Rules is hereby further amended by the addition of a new subdivision to be numbered XXIX and to read as follows:

XXIX. INLAND WATERWAYS CORPORATION

1. Until June 30, 1943, all positions in or under the Inland Waterways Corporation

SECTION 5. Schedule A of the Civil Service Rules is hereby further amended by the addition of a further subdivision to be numbered XXX and to read as follows:

XXX. FEDERAL WORKS AGENCY

1. Agents employed in field positions the work of which is financed jointly by the Federal Works Agency and cooperating persons, organizations, or governmental agencies outside the Federal service.

In making appointments under this paragraph, a full report shall be submitted immediately by the Federal Works Agency to the Commission, setting forth the name, designation and compensation of the appointee and a statement of the duties to which he is to be assigned and of his qualifications for such duties in such detail as to indicate clearly that the appointment is properly made under the above paragraph. The same procedure shall be followed in case of the assignment of any such agent to duties of a different character.

Order Amending Schedule B (Civil-Service Rule II, Sec. 3)

(Subdivision IX, par. 2)

No. 8730, April 2, 1941, 6 F. R. DI 1792.

By virtue of the authority vested in me by paragraph eighth of subdivision second of section 2 of the Civil Service Act (22 Stat. 403, 404), it is ordered that subdivision IX of Schedule B of the Civil Service Rules be, and it is hereby, amended by adding thereto the following paragraph:

"2. Classified positions in the Custodial Service, and in the Division of Equipment and Supplies under the Fourth Assistant Postmaster General, when filled by the promotion of unclassified laborers, subject to the approval of the Civil Service Commission."

This order, which is recommended by the Civil Service Commission in view of the agreement by the Fourth Assistant Postmaster General that hereafter unclassified positions will be filled through appointment from appropriate classified registers as provided in section 3 of Civil Service Rule II, will permit unskilled personnel appointed from the unclassified laborer register to advance upon non-competitive examination to classified positions, but will not accord to such employees a classified status or render them eligible to transfer to classified positions in other branches of the Federal service.

Order Promulgating New Labor Regulations

No. 8576, October 29, 1940, 5 F. R. DI 4311.

By virtue of the authority vested in me by section 1753 of the Revised Statutes of the United States, I hereby prescribe the following regulations governing the employment of unclassified laborers in the executive civil service of the United States:

REGULATION I—APPLICABILITY OF REGULATIONS

SECTION 1. These regulations shall be applicable in such areas or localities or to such parts of the executive civil service as the Civil Service Commission may determine.

SECTION 2. It shall be the duty of all officers in the executive civil service to aid the Commission in all proper ways in carrying these regulations into effect.

REGULATION II—QUALIFICATION OF APPLICANTS

SECTION 1. Applicants for appointment as unclassified laborers must be citizens of or owe allegiance to the United States, be physically and mentally qualified, be of good character and habits, and must not have reached the retirement age applicable to them.

SECTION 2. An applicant may be rejected for any of the following reasons:

- (a) Dismissal from the service for delinquency or misconduct.
- (b) Physical or mental unfitness.
- (c) Criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct.
- (d) Intentionally making a false statement as to any material fact, or practicing any deception or fraud in securing examination, registration, certification, or appointment.

(e) Refusal to furnish testimony in matters arising under the Civil Service Act, civil-service rules, or these regulations.

(f) Habitual use of intoxicating beverages to excess.

(g) Illegality of appointment applied for.

Any of the reasons stated in the foregoing subdivisions from (b) to (g), inclusive, shall also be sufficient cause for removal from the service.

SECTION 3. The political or religious opinions or affiliations of any applicant, eligible, or employee shall not be inquired into or considered, except as to such membership in political parties or organizations as constitutes by law a disqualification for Government employment.

REGULATION III—METHOD OF RATING

Applicants shall be rated upon their physical ability to perform manual labor as determined by physicians designated by the Civil Service Commission and upon such preliminary tests as the Commission may prescribe. Where preliminary tests are given, ratings on physical ability will be assigned only to a sufficient number of those attaining the highest ratings in such tests to meet the needs of the service: *Provided*, That those entitled to priority under section 1 of regulation IV hereof shall have their names entered at the head of the list, subject to the physical examination.

REGULATION IV—ELIGIBILITY

SECTION 1. The names of eligibles rated at 85 or more shall be registered by sex in order of their ratings on physical condition, except that the following shall

have priority: (1) Honorably discharged soldiers, sailors, and marines. (2) The widows of honorably discharged soldiers, sailors, and marines. (3) Wives of honorably discharged soldiers, sailors, and marines who are not qualified because of service-connected disability or who are over 55 years of age and are not qualified because of disability.

SECTION 2. Eligibility shall be for 1 year, but the period may be extended by the Civil Service Commission for all those on any register if it is deemed inexpedient to hold a new examination.

SECTION 3. A laborer separated from the service without delinquency or misconduct may have his name restored to the register of eligibles in the discretion of the Commission for the remainder of his period of eligibility.

REGULATION V—CERTIFICATION, APPOINTMENT, AND ASSIGNMENT

SECTION 1. No person who is to perform mere manual labor in areas or parts of the service where these regulations are in force shall be appointed otherwise than in accordance with these regulations, except that suitable registers for the classified service may be used to fill laborer positions. Unclassified laborers appointed from a classified register shall thereby acquire a classified status, but the position shall remain unclassified and subject to these regulations.

SECTION 2. When an appointment is desired, the employing officer shall request certification, specifying sex, duties, salary, and the duration of the employment. The highest three eligibles who have not already been considered three times by the employing officer shall be certified by the Civil Service Commission.

SECTION 3. Whenever there are less than three eligibles on the register, certification shall be made with a view to regular appointment. If the employing officer shall elect not to make regular appointment from such certification and temporary appointment is required, the eligible or eligibles shall be considered by the employing officer with a view to temporary appointment. Such temporary appointment, if made, may be continued until three eligibles are provided. If selection is not made from the certification for either regular or temporary appointment under this section, the temporary appointment may be made under regulation VII hereof.

SECTION 4. An appointing officer who passes over an eligible veteran and selects a nonveteran shall file with the Civil Service Commission a statement setting forth in detail his reasons for so doing, which reasons shall not be made available to the veteran or to any one else except in the discretion of the appointing officer. The Commission shall review these reasons and in every instance in which they are not regarded as adequate shall so advise the head of the appropriate department or independent establishment for his consideration.

SECTION 5. The person selected shall be duly notified by the employing officer and shall be given a full and fair trial.

SECTION 6. A laborer with an unclassified status may not be appointed to a classified position except through open competitive examination, nor assigned to the duties of such position except incidentally and then only with the prior approval of the Commission or the district manager of the appropriate civil service district. A laborer with an unclassified status may not be promoted to a classified position except through open competitive examination, or with the approval of the Civil Service Commission in accordance with the provisions of Schedule B of the Civil Service Rules, or as may otherwise be provided by regulation of the Civil Service Commission.

REGULATION VI—DEMOTION FROM CLASSIFIED POSITIONS

A classified employee may be placed in an unclassified laborer position (with corresponding change in designation) upon certificate of the Civil Service Commission, subject to the passing of a strength test given by the Civil Service Commission, which test may be waived by agreement between the appointing officer and the Commission. In the field service, a classified employee occupying a noneducational position may be placed in an unclassified position (with corresponding change in designation) upon authority of the manager of the appropriate civil service district.

REGULATION VII—TEMPORARY APPOINTMENT

SECTION 1. Temporary appointment shall be made from the highest three eligibles willing to accept for the duration of the employment specified, and the name of the eligible selected shall remain on the register for regular appointment.

SECTION 2. Whenever there are no eligibles upon the register and the public interest requires that the vacancy be filled before eligibles can be provided by the Civil Service Commission, the Commission or district manager of the appropriate civil service district may authorize temporary appointment without examination. Such appointment, if made, shall continue only for such period as may be necessary for making appointment through certification, and in no case, without prior approval of the Commission, shall extend beyond 30 days from the date of the receipt by the appointing officer of the Commission's certification of eligibles.

SECTION 3. When a position must be filled immediately to meet an emergency and time does not permit the securing of the prior approval of the Commission or district manager, temporary appointment may be made of a suitably qualified available person. This provision shall not apply to positions in Washington, D. C., or in cities in which district managers' headquarters are located. No person shall be thus employed for more than 30 calendar days in any period of 12 months unless specifically authorized by the Commission or district manager.

REGULATION VIII—REINSTATEMENT

SECTION 1. A person separated without delinquency, misconduct, or inefficiency from a field-service position under these regulations may be reemployed under the same department or independent agency within 1 year without certificate of the Civil Service Commission.

SECTION 2. Except as provided in section 1 of this regulation, a person separated from the service under these regulations may be reinstated upon certificate of the Commission, subject to the following limitations:

(a) Reinstatement may be made upon requisition by the appointing officer having a vacancy to fill: *Provided*, That such requisition is made within 1 year of separation if the period of service was less than 2 years, within 2 years if the period of service was 2 years or more but less than 3 years, within 3 years if the period of service was 3 years or more but less than 4 years, within 4 years if the period of service was 4 years or more but less than 5 years, and without time limit if the period of service was 5 years or more: *Provided further*, That the applicant is otherwise eligible under the provisions of the Executive order of June 2, 1920, relating to the reinstatement of employees: *Provided further*, That the time limit may be waived in the case of reinstatements to positions in Federal agencies concerned with preparedness and the national-defense program.

(b) A former unclassified employee entitled to military preference in registration and appointment may be reinstated without time limit.

(c) A former unclassified employee retired upon annuity under the Civil Service Retirement Act by reason of total disability who is eligible for reinstatement by reason of recovery and termination of annuity, shall be eligible for reinstatement, subject to the conditions and limitations of these regulations.

(d) No person may be reinstated to a position under these regulations who did not have a status thereunder at the time of separation, or who was not eligible for such status through examination.

(e) No person may be reinstated to a position under these regulations without passing an appropriate noncompetitive examination testing fully his fitness for the position when the Commission shall so require.

REGULATION IX—TRANSFER

After he has completed 6 months of service, an unclassified laborer may be transferred to another department or agency upon certificate of the Commission.

REGULATION X—PROMOTION

A person employed under these regulations may not be promoted, except where general authority has been granted by the Commission, until he has completed 6 months of service, unless his name was within reach for appointment at the higher salary at time of appointment or would have been so within reach had it remained on the register.

REGULATION XI—REMOVAL

SECTION 1. No unclassified laborer other than temporary shall be removed from the service except for such cause as in the judgment of the employing officer will promote the efficiency of the service, and no trial or hearing shall be required except at the discretion of such officer.

SECTION 2. The reasons for each removal shall be made of record in the office in which the person is serving and shall be open to the inspection of the Commission.

SECTION 3. In harmony with statutory provisions, when reductions are being made in the force no unclassified laborer entitled to military preference in appointment shall be discharged, dropped, or reduced in rank or salary before any employee not entitled to military preference in competition with him if his record is good; nor shall any unclassified laborer entitled to military preference in appointment be discharged, dropped, or reduced in rank or salary before any employee not entitled to military preference in competition with him if his efficiency rating is better than, or equal to, that of such nonpreference employee.

REGULATION XII—INCLUSION IN THE UNCLASSIFIED SERVICE

A person holding a position when it becomes subject to these regulations shall, upon recommendation to the Commission by the head of the department or establishment in which he is employed, acquire a status hereunder subject to the following conditions:

(a) That he was appointed at least 6 months prior to the effective date of the application of the regulations.

(b) That he shall qualify in such appropriate noncompetitive examination as the Commission may prescribe.

(c) That he is not disqualified by any provision of these regulations or of the Civil Service Act or of any other statute, or Executive order.

Any such person who fails to meet the above-stated conditions may, in the discretion of the head of the department or agency concerned, be retained without acquiring such a status.

REGULATION XIII—REPORT OF CHANGES

Appointments and changes under these regulations shall be reported to the Civil Service Commission in accordance with the provisions of Civil Service Rule XIII. The designation should be shown as "unclassified laborer."

REGULATION XIV—SUPPLEMENTARY REGULATIONS

The Civil Service Commission may prescribe supplementary regulations not inconsistent herewith necessary for the administration of these regulations.

This order supersedes the Executive order of June 5, 1922, prescribing regulations governing the employment of unclassified laborers in the executive civil service, and all orders amendatory thereof.

Miscellaneous Orders

AMENDING SECTION 7 OF EXECUTIVE ORDER NO. 7916 OF JUNE 24, 1938, EXTENDING THE COMPETITIVE CLASSIFIED CIVIL SERVICE

No. 8467, July 1, 1940, 5 F. R. DI 2468.

By virtue of the authority vested in me by the Constitution, by section 1753 of the Revised Statutes (U. S. C., title 5, sec. 631), by the Civil Service Act (22 Stat. 403), and as President of the United States, section 7 of Executive Order No. 7916 of June 24, 1938, extending the competitive classified civil service, is hereby amended to read as follows:

"SEC. 7. (a) Effective July 1, 1940, the United States Civil Service Commission is directed to establish within the Commission a Council of Personnel Administration and to designate as members thereof such of the personnel of the Commission as the Commission shall determine. The Commission shall designate one of such members as Chairman of the Council.

"(b) In addition to the membership of the Council of Personnel Administration above provided for, the directors of personnel of the several departments and independent establishments and a representative of the Bureau of the Budget, to be designated by the Director thereof, shall be *ex officio* members of the Council.

"(c) The Council shall advise and assist the President and the Commission in the protection and improvement of the merit system, and recommend from time to time to the President and the Commission needed changes in procedure, rules, or regulations. When directed so to do by the President or the Commission, the Council shall hold hearings and conduct investigations with respect to alleged

abuses and proposed changes. The Council shall carry on programs of study to coordinate and perfect the executive personnel service in all its branches, and shall report upon the progress of personnel administration throughout the service.

"(d) Executive Order No. 5612 of April 25, 1931, is hereby revoked."

AUTHORIZING THE CIVIL SERVICE COMMISSION TO PERMIT TRANSFERS DURING PROBATION TO APPROPRIATE POSITIONS DIRECTLY CONCERNED WITH THE NATIONAL DEFENSE PROGRAM

No. 8514, August 13, 1940, 5 F. R. DI 2857.

By virtue of the authority vested in me by section 1753 of the Revised Statutes (U. S. C., title 5, sec. 631), by the Civil Service Act (22 Stat. 403), and as President of the United States, the Civil Service Commission is hereby authorized to permit transfers during probation to appropriate positions directly concerned with the national defense program.

SUSPENDING AND MAKING INOPERATIVE THE EXECUTIVE ORDER OF JANUARY 17, 1873, AS AMENDED, INSOFAR AS THE UNITED STATES CIVIL SERVICE COMMISSION SHALL, BY REGULATION, AUTHORIZE APPOINTMENTS TO POSITIONS DIRECTLY CONCERNED WITH NATIONAL DEFENSE

No. 8516, August 15, 1940, 5 F. R. DI 2881.

By virtue of and pursuant to the authority vested in me by section 1753 of the Revised Statutes of the United States (U. S. C., title 5, sec. 631) and as President of the United States, it is ordered that the Executive order of January 17, 1873, as amended, prohibiting, with certain exceptions, Federal officers and employees from holding State, Territorial and municipal offices, be, and it is hereby, suspended and made inoperative insofar as the United States Civil Service Commission shall, by regulation, authorize appointments to positions directly concerned with national defense.

AMENDING PARAGRAPH 1 OF EXECUTIVE ORDER NO. 8458 OF JUNE 27, 1940, DIRECTING THE CIVIL SERVICE COMMISSION TO ESTABLISH A REPLACEMENT LIST OF NON-CIVIL-SERVICE EMPLOYEES FOR USE FOR TEMPORARY APPOINTMENTS TO NATIONAL-DEFENSE POSITIONS

No. 8532, September 4, 1940, 5 F. R. DI 3589.

By virtue of the authority vested in me by section 1753 of the Revised Statutes (U. S. C., title 5, sec. 631), by the Civil Service Act (22 Stat. 403), and as President of the United States, it is ordered that paragraph 1 of Executive Order No. 8458 of June 27, 1940, be, and it is hereby, amended to read as follows:

1. The Civil Service Commission shall establish a replacement list of employees who do not possess a competitive civil-service status, who have been involuntarily separated from the Federal service, with good records, on or after June 30, 1939, and who have had at least six months of Government service immediately prior to separation; such list to be used for temporary appointments to national-defense positions for terms not extending beyond the duration of the national-defense program.

AMENDMENT OF EXECUTIVE ORDER NO. 8257 OF SEPTEMBER 21, 1939, AUTHORIZING EXCEPTED APPOINTMENTS TO MEET PUBLIC EXIGENCY

No. 8564, October 8, 1940, 5 F. R. DI 4049.

Executive Order No. 8257 of September 21, 1939, authorizing excepted appointments to meet public exigency, is hereby amended to read as follows:

"By virtue of the authority vested in me by paragraph eighth, subdivision second, section 2 of the Civil Service Act (22 Stat. 404), it is hereby ordered as follows:

"Whenever, because of a public exigency directly connected with the national-defense program, or because of the urgency for the immediate filling of a position involved in such program, the Civil Service Commission determines that it is in the public interest to do so, it may authorize the filling of any position connected with the national-defense program for a term not extending beyond the duration of the national-defense program, without regard to the competitive requirements

of the Civil Service Rules, subject to such noncompetitive tests of fitness as the Commission may prescribe. Persons so appointed will not thereby acquire a classified (competitive) civil service status."

EXTENDING THE PERIOD OF ELIGIBILITY ON CIVIL SERVICE REGISTERS OF PERSONS
WHO SERVE IN THE ARMED FORCES OF THE UNITED STATES

No. 8602, November 25, 1940, 5 F. R. DI 4673.

By virtue of the authority vested in me by the provisions of paragraph eighth of subdivision second of section 2 of the Civil Service Act (22 Stat. 403, 404), it is ordered that no period of time served in the armed forces of the United States under the provisions of the act authorizing the President to order members and units of reserve components and retired personnel of the Regular Army into active military service, approved August 27, 1940 (Pub. Res. No. 96, 76th Cong.), as amended, or the Selective Training and Service Act of 1940, approved September 16, 1940 (Pub. No. 783, 76th Cong.), shall be counted in determining the period of eligibility for appointment of those persons whose names appear on eligible registers of the Civil Service Commission at the time of entering the service of their country under the provisions of the said acts or who attain eligibility during such service: *Provided*, That such persons shall notify the Civil Service Commission within forty days after their service in the armed forces has terminated that they desire to have the benefits of this order.

EXTENDING THE CLASSIFIED CIVIL SERVICE

No. 8743, April 23, 1941, 6 F. R. DI 2117.

By virtue of the authority vested in me by section 1 of the act of November 26, 1940, entitled "Extending the Classified Executive Civil Service of the United States" (54 Stat. 1211), by the Civil Service Act (22 Stat. 403), and by section 1753 of the Revised Statutes of the United States, it is hereby ordered as follows:

SECTION 1. All offices and positions in the executive civil service of the United States except (1) those that are temporary, (2) those expressly excepted from the provisions of section 1 of the said act of November 26, 1940, (3) those excepted from the classified service under Schedules A and B of the Civil Service Rules, and (4) those which now have a classified status, are hereby covered into the classified civil service of the Government.

SECTION 2. Section 1 of this order shall become effective on January 1, 1942, except that as to positions affected thereby which are vacant at any time after June 30, 1941, and before January 1, 1942, it shall become effective when the vacancies first exist during such period, and appointments to such vacant positions shall be made in accordance with the civil-service rules as amended by section 3 of this order, unless prior express permission is given by the Civil Service Commission for appointment without regard thereto.

SECTION 3. (a) Upon consideration of the report of the Committee on Civil Service Improvement (H. Doc. No. 118, 77th Cong.) appointed by Executive Order No. 8044 of January 31, 1939, it is hereby found and determined that the regulations and procedures hereinafter prescribed in this section with respect to attorney positions in the classified civil service are required by the conditions of good administration.

(b) There is hereby created in the Civil Service Commission (hereinafter referred to as the Commission) a board to be known as the Board of Legal Examiners (hereinafter referred to as the Board). The Board shall consist of the Solicitor General of the United States and the Principal Legal Examiner of the Civil Service Commission, as members *ex officio*, and nine members to be appointed by the President, five of whom shall be chosen from the chief law officers of the Executive departments, agencies, or corporate instrumentalities of the Government, two from the law-teaching profession, and two from attorneys engaged in private practice. The President shall designate the chairman of the Board. Five members shall constitute a quorum, and the Board may transact business notwithstanding vacancies thereon. Members of the Board shall receive no salary as such, but shall be entitled to necessary expenses incurred in the performance of their duties hereunder.

(c) It shall be the duty of the Board to promote the development of a merit system for the recruitment, selection, appointment, promotion, and transfer of attorneys in the classified civil service in accordance with the general procedures outlined in Plan A of the report of the Committee on Civil Service Improvement, appointed by Executive Order No. 8044 of January 31, 1939.

(d) The Board, in consultation with the Civil Service Commission, shall determine the regulations and procedures under this section governing the recruitment and examination of applicants for attorney positions, and the selection, appointment, promotion, and transfer of attorneys, in the classified service.

(e) The Commission shall in the manner determined by the Board establish a register or registers of eligibles from which attorney positions in the classified service shall be filled: *Provided*, That any register so established shall not be in effect for a period longer than one year from the date of its establishment. Upon request of the Board, the Commission shall designate appropriate regions or localities and appoint regional or local boards of examiners composed of three persons approved by the Board, within or without the Federal service, to interview and examine such applicants as the Board may recommend.

(f) The number of names to be placed upon any register of eligibles for attorney positions shall be limited to the number recommended by the Board; and such registers shall not be ranked according to the ratings received by the eligibles, except that persons entitled to veterans' preference as defined in section 1 of Civil Service Rule VI shall be appropriately designated thereon.

(g) Any person whose name has been placed upon three registers of eligibles covering positions of the same grade, and who has not been appointed therefrom, shall not thereafter be eligible for placement upon any subsequently established register covering positions of such grade.

(h) The eligibles on any register for attorney positions shall be apportioned among the several States and Territories and the District of Columbia upon the basis of population as ascertained at the last preceding census, and the Commission shall certify to the appointing officer for each vacancy all the names on the appropriate register which meet the apportionment requirements: *Provided*, That whenever the Board shall be of the opinion that apportionment of eligibles on any register for attorney positions is not warranted by conditions of good administration, it shall so notify the Commission, which shall thereafter certify all the persons on such register to the appropriate appointing officer. The appointing officer shall make selections for any vacancy or vacancies in attorney positions from the register so certified, with sole reference to merit and fitness.

(i) Any position affected by this section which is vacant after June 30, 1941, may be filled before available registers have been established pursuant to this section only by the appointment of a person who has passed a noncompetitive examination prescribed by the Commission with the approval of the Board, and such person after the expiration of six months from the date of his appointment shall be eligible for a classified civil-service status upon compliance with the provisions of section 6 of Civil Service Rule II, other than those provisions relating to examination.

(j) The incumbent of any attorney position covered into the classified service by section 1 of this order may acquire a classified civil-service status in accordance with the provisions of section 6 of Civil Service Rule II: *Provided*, That the noncompetitive examination required thereunder shall be prescribed by the Commission with the approval of the Board.

(k) The Commission with the approval of the Board shall appoint a competent person to act as Secretary of the Board; and the Commission shall furnish such further clerical, stenographic, and other assistants as may be necessary to carry out the provisions of this section.

(l) The Civil Service Rules are hereby amended to the extent necessary to give effect to the provisions of this section.

SECTION 4. The noncompetitive examinations prescribed pursuant to sections 3 and 6 of this order and section 2 (a) of the said act of November 26, 1940, shall, among other things, require any person taking such examination to meet such reasonable standards of physical fitness and personal suitability as the Civil Service Commission may prescribe.

SECTION 5. Persons who on the effective date of section 1 of this order are on furlough or leave without pay from any position covered into the classified service by that section may be recalled to duty within 1 year of the date that they are furloughed or given leave without pay, and may be continued in such positions thereafter but shall not thereby acquire a classified civil-service status. If they are not recalled to duty within the time specified herein, they shall be separated from the service.

SECTION 6. Any person who in order to perform active service with the military or naval forces of the United States has left, or leaves, a position (other than a temporary position) which is covered into the classified civil service under

section 1 of this order shall be reinstated in the department or agency to the position in which he last served or to a position of like seniority, status, and pay in the same department or agency, and upon reinstatement thereto may acquire a classified civil-service status: *Provided*, (1) That he has been honorably discharged from the military or naval service, (2) that he makes application for reinstatement within 40 days of such discharge, (3) that the head of the department or agency concerned recommends within 1 year of his reinstatement that he be permitted to acquire a classified civil-service status and certifies that he has served with merit for at least 6 months, and (4) that he qualifies in such suitable noncompetitive examination as the Commission may prescribe.

SECTION 7. Executive Order No. 8044 of January 31, 1939, is hereby revoked so far as it applies to positions covered into the classified civil service by this order.

AUTHORIZING CERTAIN EMPLOYEES OF THE GOVERNMENT TO ACQUIRE A CLASSIFIED
CIVIL SERVICE STATUS

No. 8744, April 24, 1941, 6 F. R. DI 2118.

By virtue of the authority vested in me by section 2 of the Civil Service Act (22 Stat. 403, 404), and by section 1753 of the Revised Statutes of the United States, it is hereby ordered as follows:

The incumbent of any position covered into the classified civil service of the Government by section 1 of the Executive order of April 23, 1941, entitled "Extending the Classified Civil Service," who, between the date of that order and the effective date of section 1 thereof, is involuntarily separated from the service by reason of a reduction in force, the abolition of his position, or the liquidation, in whole or in part, of the agency in which he is employed, may acquire a classified civil-service status for transfer to a position in the classified civil service: *Provided*, (1) that he has rendered 6 months of satisfactory service immediately prior to his involuntary separation from the service; (2) that he is unqualifiedly recommended for further Government employment by the head of the agency in which he last served; (3) that he qualifies in such suitable noncompetitive examination as the Civil Service Commission may prescribe, only one such noncompetitive examination being given to any such incumbent; and (4) that he obtains such transfer within 1 year from the date of his separation from the service.

APPROVING REGULATIONS OF THE CIVIL SERVICE COMMISSION RELATING TO EFFICIENCY-RATING BOARDS OF REVIEW

No. 8748, May 1, 1941, 6 F. R. DI 2251.

By virtue of the authority vested in me by section 9 of the Classification Act of 1923 (42 Stat. 1490), as amended by section 7, Title II of the act of November 26, 1940, Public No. 880, 76th Congress, I hereby approve the following regulations prescribed by the Civil Service Commission:

Regulations Relating to Efficiency-Rating Boards of Review

Pursuant to the authority vested in the Civil Service Commission by section 9 of the Classification Act of 1923 (42 Stat. 1490), as amended by section 7, Title II of the act of November 26, 1940, Public No. 880, 76th Congress, the following regulations are hereby prescribed with respect to efficiency-rating boards of review:

1. There shall be established in each department and independent establishment having positions and employees subject to section 9 of the Classification Act of 1923 (42 Stat. 1490), as amended by section 7 of the act of November 26, 1940, Public No. 880, 76th Congress, one or more boards of review for the purpose of considering and passing upon the merits of efficiency ratings assigned to such employees.

2. The head of each department or independent establishment shall determine the number and jurisdiction of boards of review to be established within his department or establishment, subject to the approval of the Civil Service Commission. The jurisdiction of each board of review shall be specific and shall be exclusive of that of any other such board.

3. (a) Each board of review shall be composed of three members, and there shall be an alternate member provided for each principal member who shall serve during the absence of such principal member or when the principal member is unable to serve for any other reason and who shall succeed the principal member in the event that he is unable to serve to the end of his term of office. Members of

boards of review and alternate members shall be appointed or designated for one-year terms.

(b) One member of each board of review and an alternate to such member shall be designated by the head of the department or establishment served by such board.

(c) Another member of each board of review and an alternate to such member shall be designated by election by the employees whose efficiency ratings are under the jurisdiction of the board in such manner as shall be determined by the Civil Service Commission.

(d) The chairman of each board of review and an alternate chairman shall be designated by the Civil Service Commission.

(e) All members of boards of review and all alternate members shall be officers or employees of the executive branch of the Federal Government; provided, however, that in the case of boards of review serving agencies not in the executive branch, such members and alternate members (except chairmen and alternate chairmen) shall be appointed or elected from the branch of government to which such agencies respectively belong.

4. Each appeal from an efficiency rating shall be submitted in writing to the chairman of the appropriate board of review within 90 days of the date that notice of such rating was delivered to the employee. Boards of review may waive this requirement for good and sufficient reasons, as in cases (a) where it appears that appellants were not in a position to make an appeal within the 90-day period, (b) where employees elected to avail themselves of the grievance procedures in their own departments or establishments before proceeding with appeals under these regulations, or (c) where new evidence is discovered after the close of the 90-day period which would have a bearing on the decision concerning the appeal. All efficiency ratings which require the dismissal, demotion, or reduction in salary of employees subject to the approval of the Civil Service Commission under section 9 of the Classification Act of 1923 as amended shall, on the request of the Civil Service Commission, be scheduled for hearings before the boards of review in the same manner as if appealed by such employees.

5. Hearings conducted on efficiency-rating appeals shall be on as informal a basis as possible and yet permit the presentation of all information necessary to ascertain the correctness of the rating in question or the rating which should be assigned the employee. Stenographic reports shall be required only by the unanimous vote of the board and then only when they are necessary to the best interests of the Government and employee. At hearings before the board of review each employee-appellant shall be entitled to appear with a representative selected by him. The employee-appellant and his representative, and such representatives of the department or establishment as are designated by the head thereof, shall be afforded an opportunity to submit orally or in writing any information deemed by the board of review to be pertinent to the case, and shall be afforded an opportunity to hear or examine, and to reply to, information submitted to such board by other parties.

6. After ascertaining the pertinent facts in each case, the board of review shall proceed to determine such adjustment in the efficiency rating as it deems proper, or sustain the efficiency rating appealed from without change. Decisions shall be made by a majority vote. Notices of decisions of boards of review shall be communicated to the heads of the departments or independent establishments and to the employee-appellants in writing and shall contain summary statements of the facts on which the decisions are based. Copies of the decisions of the boards shall also be forwarded to the Civil Service Commission.

7. These regulations shall become effective on July 1, 1941.

(Signed) H. B. MITCHELL,

(Signed) LUCILE FOSTER McMILLIN,

(Signed) ARTHUR S. FLEMMING,

Commissioners.

RESTRICTING THE ELIGIBILITY OF FEDERAL EMPLOYEES TO TAKE CIVIL SERVICE
EXAMINATIONS AND TO BE CERTIFIED

No. 8760, May 27, 1941, 6 F. R. DI 2618.

By virtue of the authority vested in me by the Civil Service Act (22 Stat. 403), and by section 1753 of the Revised Statutes of the United States (U. S. C., title 5, sec. 631), and in view of the present emergency conditions, the Civil Service Commission is hereby directed to refuse examination to any person who is, or

who has been within 3 months of the date of the examination, employed in the civilian executive branch of the Federal Government, or to certify any such person who is on the eligible register of the Commission, unless such person submits the written assent of the department or office in which he is or has been employed to his taking such examination or to his being so certified. Such assent shall be based solely upon the finding, after due consideration, by such department or office that the person can render better service for the Government in the position for which the examination is held or for which certification is requested.

This order shall continue in effect until the Congress or the President declares that the present emergency has ceased to exist.

REQUIRING EMPLOYEES IN THE EXECUTIVE CIVIL SERVICE TO BE FINGERPRINTED

No. 8781, June 12, 1941, 6 F. R. DI 2895.

By virtue of the authority vested in me by section 2 of the Civil Service Act (22 Stat. 403) and section 1753 of the Revised Statutes of the United States, it is hereby ordered as follows:

SECTION 1. All employees in the executive civil service of the Government whose fingerprints are not now on file in the Federal Bureau of Investigation, Department of Justice, or in the agency in which they are employed, are hereby required to be fingerprinted in accordance with the procedure established by the head of the department or agency in which they are employed.

SECTION 2. Before any original appointment or reinstatement is made to a position in the executive civil service of the Government, the person concerned shall be fingerprinted in accordance with the procedure established by the Civil Service Commission or by the head of the department or agency in which the appointment or reinstatement is to be made.

SECTION 3. All fingerprints of employees not now on file in the Federal Bureau of Investigation, and all fingerprints required to be taken by section 2 hereof, shall be transmitted to the Federal Bureau of Investigation by the head of the department or agency concerned for checking and report as to criminal records, and for permanent classification and filing.

Summary of Other Orders Affecting Civil Employees in the Executive Branch

<i>Citation</i>	<i>Subject</i>
8487, July 18, 1940----- (5 F. R. DI 2629)	Designating the Vice Chairman of the Board of Governors of the Federal Reserve System.
8494, July 25, 1940----- (5 F. R. DI 2681)	Authorizing the Civil Service Commission to confer a competitive classified civil-service status on five employees in the disbursing office of the Division of Disbursement of the Treasury at Honolulu, T. H.
8512, August 13, 1940----- (5 F. R. DI 2849)	Prescribing regulations pertaining to budgetary administration and financial reporting.
8541, September 17, 1940--- (5 F. R. DI 3745)	Designating the Assistant Secretary of Commerce and the Solicitor of Commerce to act as Secretary of Commerce.
8546, September 24, 1940--- (5 F. R. DI 3817; corrected, 5 F. R. DI 3827)	Creating the Defense Communications Board and defining its functions and duties.
8553, September 28, 1940--- (5 F. R. DI 3887)	Designating Lt. Col. Lewis B. Hershey to perform certain duties under the Selective Training and Service Act of 1940.
8557, September 30, 1940--- (5 F. R. DI 3888)	Prescribing regulations governing the payment of expenses incurred in connection with the death of certain civilian officers and employees of the United States.
8559, October 4, 1940----- (5 F. R. DI 3923)	Designating Lt. Col. Lewis B. Hershey to perform certain duties under the Selective Training and Service Act of 1940.

<i>Citation</i>	<i>Subject</i>
8568, October 16, 1940----- (5 F. R. DI 4121)	Establishing the St. Lawrence Advisory Committee, providing for a preliminary investigation of International Rapids Section, St. Lawrence River, and excepting certain positions in the Federal Power Commission and the Corps of Engineers, United States Army, from the requirements of the civil-service laws.
8588, November 7, 1940----- (5 F. R. DI 4448)	Prescribing regulations governing the payment of expenses of transportation of household goods and personal effects of certain civilian officers and employees of the United States.
8613, December 16, 1940--- (5 F. R. DI 5143)	Excusing Federal employees from duty on December 24, 1940.
8614, December 18, 1940---	Authorizing initial appointments to the positions of Director and Assistant Director of the Bureau of Water Carriers of the Interstate Commerce Commission without compliance with the civil-service rules.
8623, December 31, 1940--- (6 F. R. DI 13)	Suspending the 8-hour law as to persons employed by the Government in the construction of certain Army and Navy bases in British possessions in the Atlantic Ocean.
8629, January 7, 1941----- (6 F. R. DI 191)	Establishing the Office of Production Management in the Executive Office of the President and defining its functions and duties.
8632, January 11, 1941----- (6 F. R. DI 295)	Establishing the Division of Defense Housing Coordination within the Office for Emergency Management of the Executive Office of the President.
8634, January 14, 1941----- (6 F. R. DI 416)	Authorizing certain employees in the Public Buildings Administration, Federal Works Agency, to acquire a classified civil-service status, or an unclassified status under the labor regulations.
8638, January 14, 1941----- (6 F. R. DI 455)	Authorizing certain employees of the Rural Electrification Administration to acquire a competitive classified status.
8657, February 3, 1941----- (6 F. R. DI 769)	Extending the Classification Act of 1923, as amended, to certain positions in the Navy Department and establishing a salary differential therefor.
8679, February 13, 1941----- (6 F. R. DI 959)	Authorizing initial appointments to the positions of Assistant Director of the Naval Civilian Police Corps of the Navy Department without compliance with the civil-service rules.
8686, February 17, 1941-----	Transferring certain personnel from the United States Maritime Commission to the Interstate Commerce Commission.
8699, March 1, 1941----- (6 F. R. DI 1285)	Covering certain positions in the Federal Deposit Insurance Corporation into the competitive classified civil service, and authorizing certain employees of that Corporation to acquire a classified civil-service status.
8714, March 18, 1941----- (6 F. R. DI 1517)	Designating certain officers to act as Secretary of the Treasury in case of absence or sickness of the Secretary.
8716, March 19, 1941----- (6 F. R. DI 1532)	Establishing the National Defense Mediation Board.
8719, March 22, 1941----- (6 F. R. DI 1622)	Suspending certain statutory provisions relating to employment in the Canal Zone.
8731, April 4, 1941----- (6 F. R. DI 1809)	Amending Executive Order No. 8716 of March 19, 1941, to provide for the appointment of alternate members of the National Defense Mediation Board.
8734, April 11, 1941----- (6 F. R. DI 1917)	Establishing the Office of Price Administration and Civilian Supply in the Executive Office of the President and defining its functions and duties.

<i>Citation</i>	<i>Subject</i>
8740, April 22, 1941----- (6 F. R. DI 2119)	Covering the positions of Counsel and Assistant Attorney in the Alley Dwelling Authority into the competitive classified civil service, and authorizing the incumbents to acquire a competitive classified civil-service status.
8751, May 2, 1941----- (6 F. R. DI 2301)	Establishing the Division of Defense Aid Reports in the Office for Emergency Management of the Executive Office of the President.
8757, May 20, 1941----- (6 F. R. DI 2517)	Establishing the Office of Civilian Defense in the Office for Emergency Management of the Executive Office of the President.
8767, June 3, 1941----- (6 F. R. DI 2743)	Directing certain personnel of the Coast Guard to operate as a part of the Navy, subject to the orders of the Secretary of the Navy.
8797, June 18, 1941----- (6 F. R. DI 3019)	Suspending the 8-hour law as to mechanics and laborers employed by the War Department in the construction of public works necessary for the national defense in the Canal Zone, Puerto Rico, and the Territory of Alaska.
8799, June 20, 1941----- (6 F. R. DI 3049)	Enlarging the Volunteer Participation Committee of the Office of Civilian Defense.
8802, June 25, 1941----- (6 F. R. DI 3109)	Reaffirming the policy of full participation in the defense program by all persons, regardless of race, creed, color, or national origin, and directing certain action in furtherance of said policy.
8807, June 28, 1941----- (6 F. R. DI 3207)	Establishing the Office of Scientific Research and Development in the Executive Office of the President and defining its functions and duties.
8811, June 30, 1941----- (6 F. R. DI 3223)	Authorizing the continuance in employment of persons employed by the Office of Government Reports on June 30, 1941, and the conferring of a competitive classified civil service status upon such employees.
8812, June 30, 1941----- (6 F. R. DI 3223)	Suspending certain statutory provisions relating to employment in the Canal Zone.

Orders Excepting Persons Named from Requirements of the Civil-Service Rules

Nineteen Executive orders authorizing exemptions from provisions of the civil-service rules were issued during the year. They affected 46 persons. During the preceding year 20 orders of a similar nature were issued, affecting 21 persons.

Seventeen of the orders, which authorized the appointment of 40 persons, waived competitive examination, although 2 of these orders, affecting 2 persons, required the individual concerned to establish before the Civil Service Commission the possession of requisite qualifications for the position. Sixteen of the 40 appointees were not given a classified status.

One order waived time limit to permit reinstatement. One authorized the acquisition by five employees of a classified civil service status without compliance with the requirements of the civil-service rules.

The following shows for each order: Date and number; name of person; nature of waiver; action allowed, and by whom recommended if formal recommendation was made by a Government official.

8466, July 1, 1940. **H. Fred Martin, Jr.** and **Leland L. Tolman**; examination waived; appointment authorized to legal positions in the Administrative Office of the United States Courts; recommended by the Director of the Administrative Office of the United States Courts.

8469, July 3, 1940. **John F. Hardy**; competitive provisions of the Civil Service Act and rules waived; appointment authorized to position as regional director in the Social Security Board, provided that he shall establish before the Civil Service Commission the possession of requisite qualifications for such position.

8474, July 9, 1940. **Newton B. Drury**; examination waived; appointment authorized to position of Director of the National Park Service, Department of the Interior.

8476, July 10, 1940. **Mrs. Martha Overstreet**; time limit on eligibility for reinstatement waived; reinstatement authorized to a clerical position in the post office at Douglas, Ga.; was formerly employed in the post office at Douglas, Ga., and is the widow of Post Office Inspector Thomas M. Overstreet, whose death occurred on January 27, 1940.

8478, July 10, 1940. **Mrs. Augusta C. Adams, Mrs. Clara H. Beach, Anna R. Joyce, and Charles A. Mason**; examination waived; appointments authorized, effective as of July 1, 1940, as follows: Mrs. Augusta C. Adams to a position of under clerk-typist; Mrs. Clara H. Beach to a position of senior welfare worker; Anna R. Joyce to a position of assistant welfare worker; Charles A. Mason to a position of chauffeur; recommended by the Federal Works Administrator and concurred in by the Civil Service Commission.

8482, July 13, 1940. **Norman H. Stevens**; examination waived; appointment authorized to a position as rural letter carrier in the Postal Service at East Falls Church, Va.

8485, July 16, 1940. **Peres D. Ziegler**; examination waived; appointment authorized to a position as rural letter carrier in the Postal Service; is a former member of the crew of the U. S. S. *Panay* and was injured in line of duty in the bombing and sinking of that vessel.

8488, July 18, 1940. **Walter Kuhn**; examination waived; appointment authorized to a position as guard in the Public Buildings Administration, Federal Works Agency.

8513, August 12, 1940. **William T. Bie, William S. DeGross, Cornelius Lynch, Charles Leo Milroy, and Neal Smith**; examination waived; appointment authorized to classified positions of under mechanic, guard, junior laborer, senior guard, and junior mechanic, respectively, in the Public Buildings Administration, Federal Works Agency.

8522, August 22, 1940. **Mrs. Anna F. Smith**; examination waived; appointment authorized to the position of relief telephone operator in the custodial service of the Post Office Department at the Main Office Building in Boston, Mass.

8537, September 11, 1940. **Fred S. Auty, Fred E. Berquist, Joseph Borkin, Ward S. Bowman, Henry W. Brooks, Norman Bursler, Harry Conover, Roy C. Cook, Corwin D. Edwards, Leo V. Finn, Elmo D. Flynt, Irving Lipkowitz, Hyman B. Ritchin, Gustab Seidler, Charles L. Terrel, Robert Wohlforth**; examination waived; appointment authorized to positions of experts in the Anti-trust Division of the Department of Justice, the persons so appointed not to acquire a classified status thereby.

8542, September 18, 1940. **Harold Ambrose**; examination waived; appointment authorized to a classified position in the Post Office Department; since June 12, 1933, had been serving in a position in the Post Office Department excepted from civil-service requirements.

8608, December 11, 1940. **Mary Elizabeth Huber**; examination waived; appointment authorized to the classified position of under clerk-typist in the Franklin D. Roosevelt Library at Hyde Park, N. Y.

8653, January 28, 1941. **Mrs. Florence Bankhead**; examination waived; appointment authorized as Chief, National Memorials and Historic Sites Section, National Park Service, Department of the Interior.

8720, March 22, 1941. **Watson B. Miller**; competitive provisions of the Civil Service Act and rules waived; appointment authorized to the position of Assistant Administrator of the Federal Security Agency, provided that he shall establish before the Civil Service Commission requisite qualifications for such position.

8735, April 14, 1941. **Edward K. Adelsheim, Joseph L. Maguire, Henry J. Meloy, Bernard M. Niezer, and Richard M. Siegel**; acquisition of competitive classified status without compliance with the requirements of civil service rules authorized; recommended by the Federal Security Administrator and concurred in by the Civil Service Commission.

8764, June 3, 1941. **John H. Dillon**; examination waived; appointment authorized to a classified position as junior administrative officer (confidential assistant to the Secretary of the Navy), in the Navy Department, Washington, D. C.; singularly qualified for this highly specialized position by reason of his knowledge of departmental matters, procedures and practices, acquired through long and close association with the duties involved; recommended by the Secretary of the Navy.

8765, June 3, 1941. **Alexander M. Knauss**; examination waived; appointment authorized to the position of junior historical aide at the Vanderbilt Mansion National Historic Site, National Park Service, Department of the Interior.

8777, June 11, 1941. **Dr. Harold C. Bryant**; examination waived; appointment authorized to the classified position of superintendent of Grand Canyon National Park, Arizona, in the National Park Service, Department of the Interior; recommended by the Secretary of the Interior.

Orders Exempting Persons Named from Compulsory Retirement for Age

Orders of the following dates and numbers were issued, exempting the 36 persons named from compulsory retirement for age: 8477, July 10, 1940, Samuel Cohn; 8481, July 12, 1940, Ernest G. Dodge; 8483, July 16, 1940, Louis Loebl; 8491, July 23, 1940, William F. Yates; 8503, August 3, 1940, Zebedee LaPelle; 8504, August 7, 1940, James E. Amos; 8520, August 20, 1940, George F. McDade; 8524, August 26, 1940, J. Brent Clarke; 8538, September 12, 1940, Z. Lewis Dalby; 8539, September 14, 1940, Herbert A. Howell; 8581, October 31, 1940, Andrew McClellan; 8582, October 31, 1940, Hervey G. Mooney; 8603, November 26, 1940, James C. Wynde; 8609, December 11, 1940, Arthur W. Exline; 8610, December 11, 1940, Miss Roberta L. Lindsey; 8611, December 24, 1940, Acheson F. Hassan; 8615, December 19, 1940, Maurice A. Emerson; 8625, January 4, 1941, Frank Frayser; 8626, January 4, 1941, Henry L. Schmidt; 8628, January 4, 1941, Walter C. Mendenhall; 8637, January 14, 1941, Joshua G. Hefty; 8656, February 3, 1941, Ovilup H. George; 8670, February 4, 1941, Clarence E. Ingling; 8676, February 7, 1941, Alexander W. Weddell; 8692, February 21, 1941, Edgar M. Cohee; 8698, March 1, 1941, Harry L. Mickey; 8726, March 29, 1941, Harry U. Wagner; 8728, April 2, 1941, Ernest C. Steward; 8745, April 24, 1941, Charley R. Davis; 8750, May 2, 1941, Alphonso L. Graham; 8754, May 14, 1941, Frederick A. Sterling; 8761, May 27, 1941, Edward P. Davis; 8762, May 27, 1941, Frank L. Hess; 8772, June 7, 1941, Clarence H. Branscombe; 8796, June 18, 1941, George Cook; 8801, June 24, 1941, Archie W. Davis.

Orders of the following dates and numbers were issued, exempting further the 17 persons named from compulsory retirement for age: 8489, July 18, 1940, William M. Smith; 8497, July 26, 1940, Maurice C. Latta; 8525, August 26, 1940, Harry T. Edwards; 8543, September 18, 1940, Samuel J. Gompers; 8552, September 26, 1940, George W. Stose; 8554, September 28, 1940, William T. Andrews; 8555, September 28, 1940, Samuel A. Cottrell; 8562, October 8, 1940, James L. Hughes; 8584, November 7, 1940, Frank Burke; 8630, January 7, 1941, David D. Caldwell; 8690, February 19, 1941, John M. Terwilliger; 8710, March 12, 1941, Ales Hrdlicka; 8747, April 28, 1941, Louis A. Simon; 8778, June 11, 1941, Percy Nicholls; 8804, June 25, 1941, James E. Harper; 8805, June 25, 1941, Samuel A. Cottrell; 8810, June 30, 1941, Hubert K. Bishop.

ADMINISTRATIVE ORDERS ESTABLISHING NEW GOVERNMENTAL BODIES WITHIN OR SUBORDINATE TO THE EXECUTIVE OFFICE OF THE PRESIDENT

<i>Office of issue and citation</i>	<i>Subject</i>
Council of National Defense----- June 27, 1940 (5 F. R. DI 2446)	Establishing the National Defense Research Committee as a subordinate body to the Council of National Defense.
Council of National Defense----- June 27, 1940 (5 F. R. DI 2446)	Establishing the Office for Coordination of National Defense Purchases as a subordinate body to the Council of National Defense.

Office of issue and citation

Subject

Council of National Defense----- August 16, 1940 (5 F. R. DI 2938)	Establishing the Office for Coordination of Commercial and Cultural Relations between the American Republics as a subordinate body to the Council of National Defense.
Council of National Defense----- September 19, 1940 (5 F. R. DI 3831)	Establishing the Health and Medical Committee as a subordinate body to the Council of National Defense.
The President----- January 7, 1941 (6 F. R. DI 192)	Further defining the status and functions of the Office for Emergency Management.
Council of National Defense----- January 7, 1941 (6 F. R. DI 253)	Revoking an order creating the Office for the Coordination of National Defense Purchases as a subordinate body to the Council of National Defense.
Office of Production Management-- March 7, 1941 (6 F. R. DI 1597)	Establishing a Bureau of Research and Statistics in the Office of Production Management and prescribing its duties and functions.
Office of Production Management-- March 7, 1941 (6 F. R. DI 1597)	Establishing a Labor Division in the Office of Production Management and prescribing its duties and functions.

APPOINTMENTS UNDER SECTION 8, CIVIL-SERVICE RULE II

Statement, by department or agency, of name, position to which appointed, bureau or other subdivision, salary paid, and basis of approval of each appointment made. In each case it was believed that an eligible as well qualified could not be secured through open competitive examination.

EXECUTIVE OFFICE OF THE PRESIDENT

Frank W. Herring, Assistant Director in Charge of Division "C," National Resources Planning Board, \$8,000 a year. Mr. Herring has had broad engineering and executive experience in the field of public works, notably as Executive Director of the American Public Works Association and as consultant and member of the Public Works Technical Advisory Committee. He has developed the principal techniques which the Board is endeavoring to have put in use by Federal, State, and local agencies.

Gerhard Colm, principal fiscal analyst, Bureau of the Budget, Fiscal Division, \$5,600 a year. Mr. Colm will study the economic effects of various expenditures and revenue policies. He will make recommendations for the allocation of funds into channels which will be economically most productive to the Nation as a whole. This position required the services of an individual who had a thorough background in the field of economics, with particular reference to public finance.

J. Weldon Jones, Assistant Director in charge of the Fiscal Division, Bureau of the Budget, \$8,000 a year. Mr. Jones has been a practicing accountant and has acted as an instructor in banking and accounting. He holds the degree of Master of Business Administration and is a member of the American Institute of Accountants. As Insular Auditor of the Philippine Government and as Financial Advisor to the High Commissioner of the Philippines, he has had responsibility in the formulation of economic and fiscal policies.

Herbert Emmerich, Secretary of the Office of Production Management, \$9,000 a year. He will assist in formulating policies of the organization. It was necessary that the occupant of the position have successful experience in a top, nonpolitical administrative post of the Federal Government, and that he should be generally recognized as an outstanding public administrator. Mr. Emmerich has had excellent experience in the Federal Government and in business. He has held the position of Executive Officer and of Deputy Governor of the Farm Credit Administration. He served with the President's Committee on Administrative Management, and he has performed important work as Associate Director of the Public Administration Clearing House.

TREASURY DEPARTMENT

William B. Lim, narcotic agent, \$2,600 a year, and **Stanley Quon**, junior narcotic agent, \$2,000 a year, Bureau of Narcotics. It was required that occupants of these positions be of Chinese extraction and qualified to speak the Chinese language. The duties are primarily investigative duties. Mr. Lim was already serving under temporary appointment.

WAR DEPARTMENT

Robert H. Kent, principal engineer, Ordnance Department at large, Aberdeen Proving Ground, Md., \$5,600 a year. The Department requested authority for his reassignment from senior engineer (ordnance) to principal engineer (ordnance). Mr. Kent was originally appointed in 1919, under section 10 (now section 8) of civil-service rule II, as ordnance expert in the office of the Chief of Ordnance, \$3,500 a year. He was appointed as senior ordnance engineer, \$4,600 a year, in 1936, as a promotion in the same technical field.

DEPARTMENT OF JUSTICE

George Ward Stocking, Chief of Consent Decree Unit (Expert), Antitrust Division, \$7,500 a year. Dr. Stocking was on assignment from the National Defense Commission in connection with problems mutual to national defense and antitrust enforcement. The Department stated that in view of his thorough grasp of antitrust problems he had proven to be outstanding and that he had shown ability as a negotiator and could materially assist antitrust attorneys by carrying the burden of complicated economic negotiations leading toward a decree. He has been the recipient of academic and professional honors and has had extensive experience as a mediator, economist, and industrial analyst.

By reason of later temporary service as member of an emergency board, to which he was appointed by the President, Dr. Stocking was separated from the rolls of the Department but was reappointed to the position of Chief of Consent Decree Unit (Expert), in the Antitrust Division, \$7,400 a year, under section 8 of civil-service rule II.

NAVY DEPARTMENT

Franklyn W. Brehme, assistant electrical engineer, Bureau of Ships, \$2,600 a year. The position required a person who had intimate knowledge of storage batteries and their application to practical use. Mr. Brehme met these qualifications by reason of the study of electrical engineering at a technical school, followed by several years of engineering training with a corporation, in addition to 7 years of practical experience as battery engineer in the industrial field.

Paul A. Hansen, senior naval architect, Navy Yard, Philadelphia, Pa., \$4,600 a year. This appointment was authorized as in the nature of a promotion. Mr. Hansen had been appointed associate marine engineer, Industrial Department, Navy Yard, Philadelphia, Pa., \$3,200 a year, under section 10 (now section 8) of civil-service rule II, in 1937. He had also been appointed marine engineer, \$3,800 a year, in 1938, also under section 10 (now section 8) of civil-service rule II, the change being in the nature of a promotion in the same line of work.

Louis T. E. Thompson, head physicist, Proof Department, Naval Proving Ground, Dahlgren, Va., \$6,500 a year. The Department requested approval of the change in status of Mr. Thompson from principal physicist, \$5,600 a year, to head physicist, \$6,500 a year. Mr. Thompson was originally appointed in 1923 as physicist, \$4,000 a year, under section 10 (now section 8) of civil-service rule II.

Charlotte V. White, assistant teacher of school activities, Naval Proving Ground, Dahlgren, Va., \$1,620 a year. Miss White had taught in the Dahlgren School for 10 years, under the authority of the State of Virginia, and had served temporarily in the position to which her appointment was requested. She is considered as outstanding in her ability as a teacher, and met the qualifications required for the position. The appointment was regarded as in the best interests of the Dahlgren School and of the community.

Lillian Feinstein, piecework computer, Nautical Almanac Office, Naval Observatory, not to exceed \$2,500 a year. Miss Feinstein will perform calculations for the Naval Observatory on the machines of the Astronomical Computing Bureau at Columbia University, New York. This laboratory is a nonprofit organization maintained for the benefit of astronomy, and is the only one of its

kind in the country. Miss Feinstein has had experience in the operation of the machines in the Computing Bureau at Columbia University since 1933, and has held the position of chief operator in that laboratory. The Department stated that she had had more experience in this type of work than anyone else in this country.

DEPARTMENT OF THE INTERIOR

Alden W. Jones, assistant curator, Indian Service, Sells Agency, Ariz., \$1,620 a year. Mr. Jones will be responsible for the operation and maintenance of the Papago Museum, and will act as intermediary between the Papago Arts and Crafts Board and outside wholesale and retail outlets. He has lived on the reservation since 1933, studying the arts and crafts, and has originated and held numerous Papago exhibits and sales, and acted as curator of the Papago Museum, which he founded. He has had long experience as writer and lecturer on Papago arts and crafts and anthropology.

DEPARTMENT OF COMMERCE

James W. Gulick, Jr., junior administrative officer, Bureau of Marine Inspection and Navigation, \$3,500 a year. Mr. Gulick has had practical shipbuilding experience with the Newport News Shipbuilding and Dry Dock Company. He has had a long period of training in the preparation and interpretation of shipping legislation in the capacity of clerk to the Merchant Marine and Fisheries Committee of the House of Representatives. In the latter position he worked in closest cooperation with the Bureau of Marine Inspection and Navigation. The Department stated that he was the only one known to it with the necessary combination of experience and qualifications, after an extensive survey of the shipping industry.

FEDERAL SECURITY AGENCY

Harry W. Burruss, assistant technologist, United States Public Health Service, National Institute of Health, Bethesda, Md., \$2,600 a year. The National Institute of Health was establishing a unit for the production of yellow fever vaccine, a work previously performed by the Rockefeller Foundation, and needed a technical assistant thoroughly trained in that field. Mr. Burruss was engaged in this work under the Rockefeller Foundation from 1929 to 1939, and later as superintendent of the yellow fever laboratory at the Rockefeller Foundation.

Thomas J. Woofter, Jr., Director of Research, Office of the Administrator, \$8,000 a year. The occupant of this position will be required to coordinate all research activities carried on in the constituent units of the Federal Security Agency. There is involved a knowledge of several fields, heretofore unrelated, such as food and drug, social security, public health, and youth training. Dr. Woofter received his A. B. at the University of Georgia in 1912, and his Ph. D. at Columbia University, New York, in 1920. He is the author of several publications and a member of a number of professional societies, as well as a fellow of the American University at Columbia University and of the Phelps Stokes Fund, University of Georgia.

Raymond F. Clapp, public welfare consultant, Bureau of Old-Age and Survivors Insurance, Social Security Board, \$5,600 a year. Mr. Clapp has had wide and varied experience in the administration of public and private welfare programs over an extended period. He has served as manager of the Indianapolis Community Fund and has held executive positions with the Welfare Federation of Cleveland. In addition, he has been consultant to the United States Children's Bureau, Department of Labor, and principal consultant and economist to the Bureau of Research and Statistics of the Social Security Board. He was regarded as eminently qualified because of his intimate knowledge of the operations and relationships of all phases of community welfare activity, and because of his established professional reputation in the welfare field.

Dr. Paul S. Henshaw, radiobiologist, United States Public Health Service, National Cancer Institute, \$4,600 a year. Dr. Henshaw was engaged in radiobiology at a cancer hospital in New York City and has had 9 years' experience in radiobiology. He assisted in the design and installation of suitable irradiation equipment in the National Cancer Institute and has initiated an extensive program of research. He has an A. B. degree in biology and M. S. and Ph. D. degrees in zoology.

SMITHSONIAN INSTITUTION

Fred Rieth, laborer (technical), National Gallery of Art, \$1,800 a year. It was required that the occupant assist in planning and laying out the technical system to be used in the hanging of paintings and in the placing of sculpture in the Gallery. Experience was also required in the packing and unpacking of works of art and the repairing of frames and labels insofar as gilt work and gold leaf are concerned. It was necessary also that the incumbent have a thorough knowledge of the system of framing used by the organization responsible for the building and the paneling of all the frames in the National Gallery. Mr. Rieth had been engaged in similar work with this organization, and possessed the requisite training and experience.

